

**Tab 6 CS/SB 352 by MS, Hutson;** (Similar to CS/CS/H 00205) Unlawful Use of Uniforms, Medals, or Insignia**Tab 7 SJR 1216 by Gruters;** (Similar to H 00157) Limitation on Terms of Office for Members of a District School Board

327674 A S EE, Gruters Delete L.34 - 53: 01/24 03:20 PM

**Tab 8 SB 1312 by Montford;** (Similar to H 01005) Voting Systems**Tab 9 SB 1354 by Brandes;** Statewide Voter Registration Application**Tab 10 SB 1794 by Hutson;** (Similar to H 07037) Constitutional Amendments Proposed by Initiative

509936	D	S	FAV	EE, Hutson	Delete everything after	01/29 10:17 AM
942064	AA	S	UNFAV	EE, Powell	Delete L.97 - 99:	01/29 10:17 AM
703098	AA	S	UNFAV	EE, Rodriguez	Before L.5:	01/29 10:17 AM
148228	AA	S	UNFAV	EE, Rodriguez	Before L.5:	01/29 10:17 AM
656836	AA	S	UNFAV	EE, Rodriguez	Before L.5:	01/29 10:17 AM
234346	AA	S	UNFAV	EE, Rodriguez	Delete L.42 - 50.	01/29 10:17 AM
557304	AA	S	UNFAV	EE, Rodriguez	btw L.63 - 64:	01/29 10:17 AM
689326	AA	S	UNFAV	EE, Rodriguez	btw L.63 - 64:	01/29 10:17 AM
732528	AA	S	UNFAV	EE, Rodriguez	Delete L.66 - 70:	01/29 10:17 AM
182802	AA	S	UNFAV	EE, Rodriguez	Delete L.78 - 82:	01/29 10:17 AM
275640	AA	S	UNFAV	EE, Rodriguez	btw L.325 - 326:	01/29 10:17 AM
803524	AA	S	UNFAV	EE, Rodriguez	btw L.414 - 415:	01/29 10:17 AM
907974	A	S	00	EE, Rodriguez	Before L.49:	01/29 10:17 AM
866994	A	S	00	EE, Rodriguez	Before L.49:	01/29 10:17 AM
934186	A	S	00	EE, Rodriguez	Delete L.71 - 79.	01/29 10:17 AM
849270	A	S	00	EE, Rodriguez	btw L.92 - 93:	01/29 10:17 AM
726104	A	S	00	EE, Rodriguez	btw L.92 - 93:	01/29 10:17 AM
164346	A	S	00	EE, Rodriguez	Delete L.95 - 99:	01/29 10:17 AM
619082	A	S	00	EE, Rodriguez	Delete L.107 - 111:	01/29 10:17 AM
915340	A	S	00	EE, Rodriguez	btw L.366 - 367:	01/29 10:17 AM
786322	A	S	00	EE, Rodriguez	btw L.455 - 456:	01/29 10:17 AM
656280	A	S	00	EE, Powell	Delete L.127 - 129:	01/29 10:17 AM

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**ETHICS AND ELECTIONS**  
**Senator Baxley, Chair**  
**Senator Braynon, Vice Chair**

**MEETING DATE:** Monday, January 27, 2020  
**TIME:** 4:00—6:00 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Baxley, Chair; Senator Braynon, Vice Chair; Senators Diaz, Passidomo, Powell, Rodriguez, and Stargel

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.			
<b>Board of Trustees of Daytona State College</b>			
1	Dye, Randall W. (Deland)	05/31/2023	Recommend Confirm Yeas 7 Nays 0
<b>Board of Trustees of Florida State College at Jacksonville</b>			
2	Young, Orrin Wayne (Jacksonville)	05/31/2021	Recommend Confirm Yeas 7 Nays 0
<b>Governor's Mansion Commission</b>			
3	Payne, Danielle Holm (Winter Park)	09/30/2022	Recommend Confirm Yeas 7 Nays 0
<b>Tampa Port Authority</b>			
4	Conner, William Theodore (Tampa)	11/25/2021	Recommend Confirm Yeas 7 Nays 0
<b>Adjutant General of Florida National Guard</b>			
5	Eifert, James O. ()	Pleasure of Governor	Recommend Confirm Yeas 7 Nays 0
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
6	<b>CS/SB 352</b> Military and Veterans Affairs and Space / Hutson (Similar CS/CS/H 205)	Unlawful Use of Uniforms, Medals, or Insignia; Prohibiting certain misrepresentations concerning military service when made for specified purposes, etc.  MS 01/15/2020 Fav/CS EE 01/27/2020 Favorable RC	Favorable Yeas 7 Nays 0
7	<b>SJR 1216</b> Gruters (Similar HJR 157, SJR 1480)	Limitation on Terms of Office for Members of a District School Board; Proposing amendments to the State Constitution to limit the terms of office for a member of a district school board, etc.  EE 01/27/2020 Temporarily Postponed ED RC	Temporarily Postponed

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

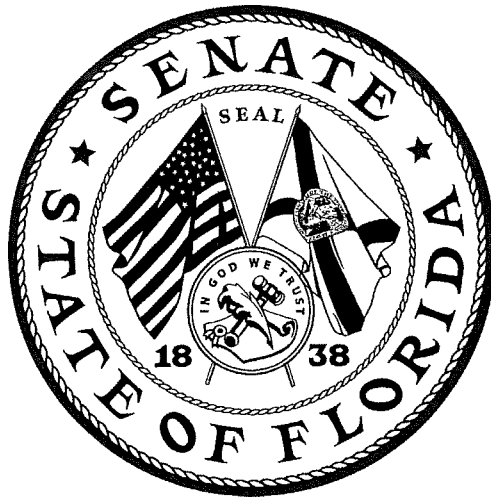
Monday, January 27, 2020, 4:00—6:00 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	<b>SB 1312</b> Montford (Similar H 1005)	Voting Systems; Defining the term "automatic tabulating equipment" for purposes of the Florida Election Code; revising procedures governing the canvassing of returns to specify usage of a voting system's automatic tabulating equipment; clarifying the circumstances under which ballots must be processed through automatic tabulating equipment in a recount; specifying the manner by which a manual recount may be conducted, etc.  EE 01/27/2020 Favorable GO AP	Favorable Yeas 7 Nays 0
9	<b>SB 1354</b> Brandes	Statewide Voter Registration Application; Revising requirements for the uniform statewide voter registration application and the acceptance of such applications; deleting an exemption from public records requirements for information related to a voter registration applicant's or voter's prior felony conviction and his or her restoration of voting rights to conform to changes made by the act, etc.  EE 01/27/2020 Favorable JU RC	Favorable Yeas 7 Nays 0
10	<b>SB 1794</b> Hutson (Similar H 7037)	Constitutional Amendments Proposed by Initiative; Requiring the Secretary of State to submit an initiative petition to the Speaker of the House of Representatives and the President of the Senate when a specified percentage of the required statewide signatures is obtained; authorizing a citizen to challenge a petition circulator's registration; requiring the court to take specified action if the petition circulator is not registered; providing that the Division of Elections or a supervisor of elections may provide petition forms in electronic format, etc.  EE 01/27/2020 Fav/CS JU RC	Fav/CS Yeas 4 Nays 3

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Other Related Meeting Documents



Committee:  
**ETHICS AND ELECTIONS**

Senator Baxley, Chair  
Senator Braynon, Vice Chair

**Meeting Packet**  
Monday, January 27, 2020  
4:00—6:00 p.m.  
Pat Thomas Committee Room, 412 Knott Building

The Florida Senate  
**COMMITTEE MEETING EXPANDED AGENDA**

**ETHICS AND ELECTIONS**  
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**MEETING DATE:** Monday, January 27, 2020  
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<b>Governor's Mansion Commission</b>			
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<b>Adjutant General of Florida National Guard</b>			
5	Eifert, James O. ()	Pleasure of Governor	

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**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Monday, January 27, 2020, 4:00—6:00 p.m.

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9	<b>SB 1354</b> Brandes	Statewide Voter Registration Application; Revising requirements for the uniform statewide voter registration application and the acceptance of such applications; deleting an exemption from public records requirements for information related to a voter registration applicant's or voter's prior felony conviction and his or her restoration of voting rights to conform to changes made by the act, etc.	EE 01/27/2020 JU RC
10	<b>SB 1794</b> Hutson (Similar H 7037)	Constitutional Amendments Proposed by Initiative; Requiring the Secretary of State to submit an initiative petition to the Speaker of the House of Representatives and the President of the Senate when a specified percentage of the required statewide signatures is obtained; authorizing a citizen to challenge a petition circulator's registration; requiring the court to take specified action if the petition circulator is not registered; providing that the Division of Elections or a supervisor of elections may provide petition forms in electronic format, etc.	EE 01/27/2020 JU RC
Other Related Meeting Documents			

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The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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**MEETING DATE:** Monday, January 27, 2020

**TIME:** 4:00—6:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Dye, Randall W.

Appointed: 10/14/2019

Term: 10/14/2019 – 05/31/2023

Prior Term:

City/County: Deland/Volusia

Office: Board of Trustees of Daytona State College, Member

Authority: 1001.61(1) and (2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 11/7/19
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 12/18/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	



**Occupation:** Owner of Daytona Dodge Chrysler (Daytona Beach)

**Compensation:** Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

**Requirements:** Florida College System institution boards of trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years.

A member of a board of trustees must be a resident of the service delivery area of the college.

Daytona State College serves Flagler and Volusia Counties.

It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

Required to file Form 1 with the SOE's office.

**Notes:** Number 8 - Volusia County Resident

Number 15 - Mr. Dye disclosed that his business, Daytona Dodge Chrysler (Daytona Beach), has a contractual relationship with the Florida Highway Patrol for vehicle servicing. Mr. Dye also disclosed a contractual relationship his business has with the Flagler County Sheriff and the City of Ponce Inlet regarding the sale of vehicles.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, January 27, 2020

**TIME:** 4:00—6:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Young, Orrin Wayne  
 Term: 07/15/2019 – 05/31/2021

Appointed: 07/15/2019  
 Prior Term:

City/County: Jacksonville/Duval

Office: Board of Trustees of Florida State College at Jacksonville, Member

Authority: 1001.61(1) and (2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 1/13/20
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 12/18/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Director of JEA

**Compensation:** Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

**Requirements:** Florida College System institution boards of trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years.

A member of a board of trustees must be a resident of the service delivery area of the college.

Florida State College at Jacksonville serves Duval and Nassau Counties.

It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

Required to file Form 1 with the SOE's office.

**Notes:** Number 6 - Mr. Young served in the U.S. Navy, 1974-2006

Number 8 - Duval County Resident

Number 15 - Mr. Young disclosed that his employer, JEA, is a utility provider to various agencies and municipalities.

Number 19 - Mr. Young is currently the director of response and environmental programs for Jacksonville Electric Authority, (2016-Present.) He has been employed by JEA since 2006.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

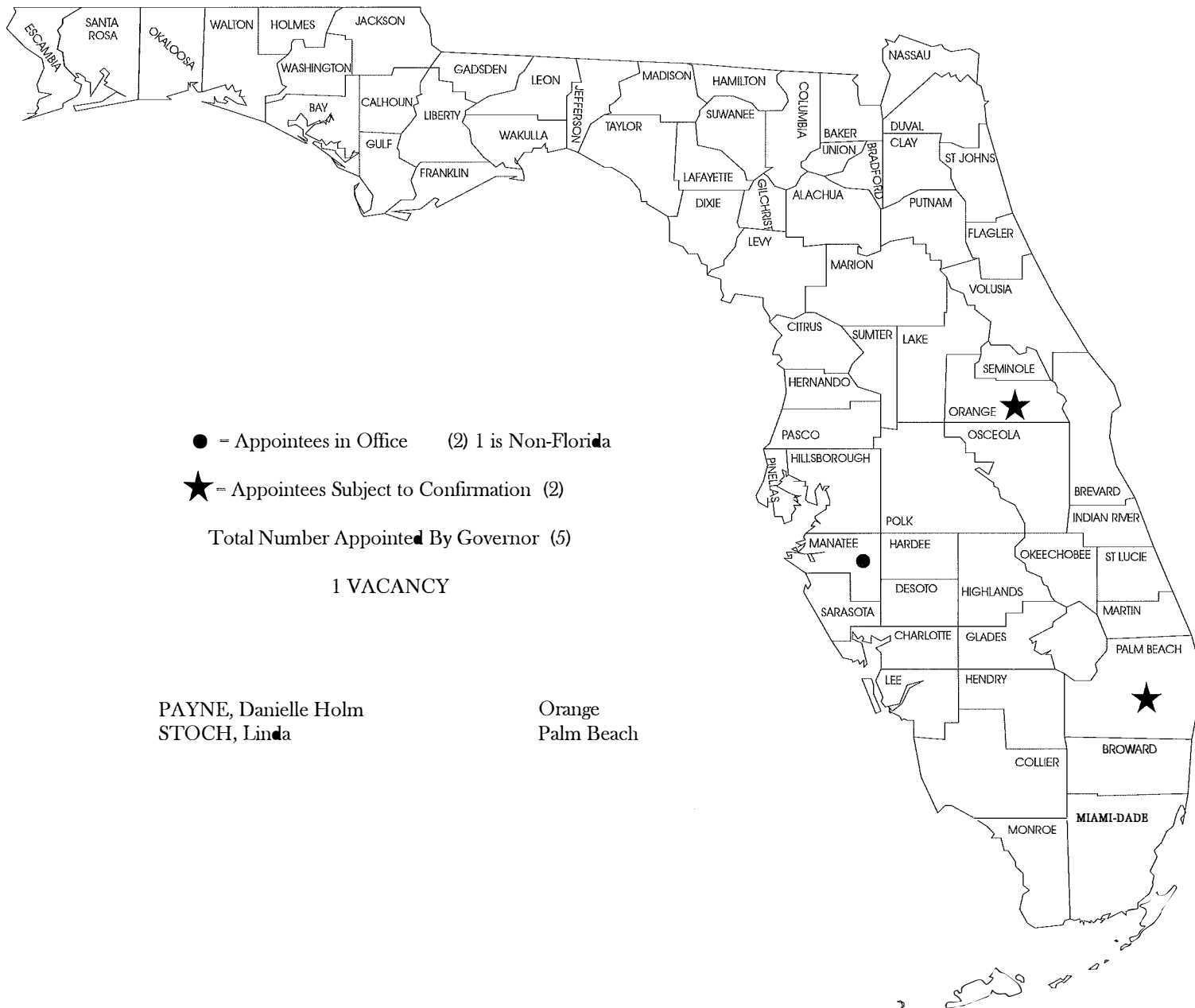
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**MEETING DATE:** Monday, January 27, 2020

**TIME:** 4:00—6:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Governor's Mansion Commission



● = Appointees in Office (2) 1 is Non-Florida

★ = Appointees Subject to Confirmation (2)

Total Number Appointed By Governor (5)

1 VACANCY

PAYNE, Danielle Holm  
STOCH, Linda

Orange  
Palm Beach

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Payne, Danielle Holm  
 Term: 07/11/2019 – 09/30/2022  
 City/County: Winter Park/Orange  
 Office: Governor's Mansion Commission, Member  
 Authority: 272.18, F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 07/11/2019  
 Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 1/14/20
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 9/20/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Partner at Metro Corral

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** No member of the commission may hold any other state or local office during his or her tenure as a member of the commission.

The eight members of this commission include:

- Five members shall be private citizens appointed by the Governor and subject to confirmation by the Senate;
- The Secretary of the Department of Management Services or his or her designee;
- The Director of the Division of Recreation and Parks of the Department of Environmental Regulation; and
- An employee of the Department of State designated by the Secretary of State who has curatorial and museum expertise.

**Additional Requirements:** Terms are for four years for citizen members.

The spouse of the Governor or designated representative shall be an ex officio member with no voting rights except to break a tie vote.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 17 - Ms. Payne is a Notary Public, since 2007.



The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, January 27, 2020

**TIME:** 4:00—6:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Conner, William Theodore  
 Term: 10/14/2019 – 11/25/2021  
 City/County: Tampa/Hillsborough  
 Office: Tampa Port Authority, Member  
 Authority: 95-488, L.O.F. & 05-332, L.O.F.  
 Reference(s): Committee on Ethics and Elections

Appointed: 10/14/2019  
 Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 11/22/19
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/26/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Attorney at Old Republic National Title Insurance Company

**Compensation:** Members may not be compensated by the port authority for their services but may be otherwise reimbursed for travel as provided by this act.

- Requirements:** The port authority shall consist of seven member seats with Seats 1 through 5 appointed by the Governor.
- The numerical assignment of Seats 1, 2, and 3 shall be designated by the port authority and appointed by the Governor.
  - Members occupying Seat 4 and Seat 5 shall be appointed from a list of persons who have maritime industry backgrounds, notwithstanding any provision of general law to the contrary, nominated for that purpose by a nominating committee and as otherwise provided by this act.

The Governor shall make appointments through the standard application process if no nominations for Seat 4 or Seat 5 are received from the nominating committee.

- Seat 6 shall be occupied by a member of the board of county commissioners, appointed by that board, ex officio.
- Seat 7 shall be occupied by the Mayor of the City of Tampa, ex officio.

Each appointed member of the port authority must be a qualified elector of the county.

**Additional Requirements:** Terms shall be for four years.

Required to file Form 1 with SOE's office.

**Notes:** Number 8 - Hillsborough County Elector  
Number 15 - Mr. Conner disclosed that his employer, Old Republic National title Insurance Company, may have title insurance policies with some state agencies or local governments that he has not been involved with.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, January 27, 2020

**TIME:** 4:00—6:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Military and Veterans Affairs and Space  
**MEETING DATE:** Wednesday, January 15, 2020  
**TIME:** 8:30—10:00 a.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Building

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**TO:** The Honorable Bill Galvano, President

**FROM:** Committee on Military and Veterans Affairs and Space

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Adjutant General of Florida National Guard

**Appointee:** Eifert, James O.

**Term:** 4/2/2019-Pleasure of Governor

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Eifert, James O. Appointed: 04/02/2019  
 Term: 04/02/2019 – Pleasure of Governor Prior Term:  
 City/County: St. Augustine/St. Johns  
 Office: Adjutant General of Florida National Guard, Member  
 Authority: 250.10, F.S.  
 Reference(s): Committee on Ethics and Elections  
 Committee on Military and Veterans Affairs and Space-Recommend Confirm-01/15/2020

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)		X	See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 4/19/19
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 11/26/19
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Adjutant General

**Compensation:** \$184,569.96 per year as of January 7, 2020. Reimbursed for expenses incurred while performing duties as a member of the Armory Board.

Receives the pay and allowances of his respective grade as prescribed by applicable pay tables of the national military establishment for similar grade and period of service of personnel, unless a different rate of pay and allowances is specified in the appropriation bill.

**Requirements:** The Adjutant General must be a federally recognized officer of the Florida National Guard, who has served in the Florida National Guard for the preceding five years and who has attained the rank of colonel or higher.

**Additional Requirements:** Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Major General Eifert is currently serving in the Florida Air National Guard, since 1978.  
Number 19 - Major General Eifert worked for the Department of Military Affairs as the Assistant Adjutant General, 2013-2017.  
Education Verified

The Florida Senate  
**Committee Notice Of Hearing**

IN THE FLORIDA SENATE  
TALLAHASSEE, FLORIDA

IN RE: Executive Appointment of  
James O. Eifert  
Adjutant General of Florida National Guard

**NOTICE OF HEARING**

TO: Major General James O. Eifert

YOU ARE HEREBY NOTIFIED that the Committee on Ethics and Elections of the Florida Senate will conduct a hearing on your executive appointment on Monday, January 27, 2020, in the Pat Thomas Committee Room, 412 Knott Building, commencing at 4:00 p.m., pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Please be present at the time of the hearing.  
DATED this the 22nd day of January, 2020

Committee on Ethics and Elections

  
\_\_\_\_\_  
Senator Dennis Baxley

As Chair and by authority of the committee

cc: Members, Committee on Ethics and Elections  
Office of the Sergeant at Arms



THE FLORIDA SENATE

# COMMITTEE WITNESS OATH

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**CHAIR:**

**Please raise your right hand and be sworn in as a witness.**

**Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?**

**WITNESS'S NAME:** James O. Eifert, Adjutant General of Florida National Guard

**ANSWER:** I do.

Pursuant to §90.605(1), *Florida Statutes*: "The witness's answer shall be noted in the record."

**COMMITTEE NAME:** Ethics and Elections

**DATE:** 01/27/20

**THE FLORIDA SENATE**

**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

*Meeting Date*

\_\_\_\_\_  
*Bill Number (if applicable)*

Topic Confirmation Public Hearing-Ethics and Elections Committee

\_\_\_\_\_  
*Amendment Barcode (if applicable)*

Name Major General James O. Eifert

Job Title Adjutant General - DMA

Address 82 Marine Street

Phone 850-414-9048

*Street*

St. Augustine

FL

32399

Email \_\_\_\_\_

*City*

*State*

*Zip*

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing Florida National Guard

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/14/14)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Ethics and Elections

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**BILL:** CS/SB 352

**INTRODUCER:** Military and Veterans Affairs and Space Committee and Senator Hutson

**SUBJECT:** Unlawful Use of Uniforms, Medals, or Insignia

**DATE:** January 24, 2020      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Caldwell</u>	<u>MS</u>	<b>Fav/CS</b>
2.	<u>Mitchell</u>	<u>Roberts</u>	<u>EE</u>	<b>Favorable</b>
3.	_____	_____	<u>RC</u>	_____

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 352 revises the prohibition on a person misrepresenting himself or herself as a member or veteran of the United States Armed Forces. The bill specifies that the material gain prohibited from unlawfully wearing a military uniform, medals, or insignia, includes obtaining paid employment or public office.

A person who violates this provision commits a third degree felony, punishable by up to 5 years in prison and a \$5,000 fine.

The Legislature's Office of Economic and Demographic Research preliminarily estimates that the bill will have a positive insignificant prison bed impact.

The bill takes effect October 1, 2020.

**II. Present Situation:**

A person commits a third degree felony if he or she:

- Misrepresents himself or herself as a member or veteran of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corp, United States Navy, or National Guard; or
- Wears the uniform of or any medal or insignia of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corp, United States Navy, or

National Guard in an unauthorized manner while soliciting for charitable contributions or for the purpose of material gain.<sup>1</sup>

A third degree felony is punishable by up to five years' incarceration and a \$5,000 fine.<sup>2</sup>

### **III. Effect of Proposed Changes:**

This bill revises the prohibition on a person misrepresenting himself or herself as a member or veteran of the United States Armed Forces. The bill specifies that the material gain prohibited from unlawfully wearing a military uniform, medals, or insignia, includes obtaining paid employment or public office.

A person who violates this provision commits a third degree felony, punishable by up to 5 years in prison and a \$5,000 fine.

The bill takes effect October 1, 2020.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, Section 18 of the State Constitution.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None identified.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

---

<sup>1</sup> Section 817.132, F.S.

<sup>2</sup> Section 775.082(3)(e), F.S.; Section 775.083(1)(c), F.S.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The Legislature's Office of Economic and Demographic Research (EDR) preliminarily estimates that the bill will have a positive insignificant prison bed impact, meaning an increase of 10 or fewer beds.<sup>3</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 817.312 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Military and Veterans Affairs and Space on January 15, 2020:**

The CS removed the prohibition on a person misrepresenting himself or herself as a member or veteran of the Armed Forces in order to obtain a professional or political benefit. The CS replaced this language with a delineation of what is meant by material gain from misrepresentation to include obtaining employment or public office resulting in receiving compensation.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>3</sup> Per the Department of Corrections, in FY 18-19, the court sentenced no offenders to prison for a violation of s. 817.312, F.S. Given this, expansion of the statute should not have a significant impact on prison beds (Nov. 5, 2019) (on file with the Senate Committee on Military and Veterans Affairs and Space).

By the Committee on Military and Veterans Affairs and Space; and  
Senator Hutson

583-02271-20

2020352c1

1 A bill to be entitled  
2 An act relating to unlawful use of uniforms, medals,  
3 or insignia; amending s. 817.312, F.S.; prohibiting  
4 certain misrepresentations concerning military service  
5 when made for specified purposes; providing criminal  
6 penalties; providing an effective date.  
7  
8 Be It Enacted by the Legislature of the State of Florida:  
9  
10 Section 1. Section 817.312, Florida Statutes, is amended to  
11 read:  
12 817.312 Unlawful use of uniforms, medals, or insignia.—  
13 (1) (a) A person may not:  
14 1. Misrepresent himself or herself as a member or veteran  
15 of the United States Air Force, United States Army, United  
16 States Coast Guard, United States Marine Corps, United States  
17 Navy, or National Guard; or  
18 2. Wear the uniform of or any medal or insignia authorized  
19 for use by members or veterans of the United States Air Force,  
20 United States Army, United States Coast Guard, United States  
21 Marine Corps, United States Navy, or ~~the~~ National Guard which he  
22 or she is not authorized to wear,  
23  
24 while soliciting for charitable contributions or for the purpose  
25 of material gain, including, but not limited to, obtaining  
26 employment or public office resulting in receiving compensation.  
27 (b) This subsection ~~section~~ does not prohibit persons in  
28 the theatrical profession from wearing such uniforms, medals, or  
29 insignia while actually engaged in such profession.

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

583-02271-20

2020352c1

30 (2) A person who violates subsection (1) commits a felony  
31 of the third degree, punishable as provided in s. 775.082, s.  
32 775.083, or s. 775.084.  
33 Section 2. This act shall take effect October 1, 2020.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

## Committee Agenda Request

**To:** Senator Dennis Baxley, Chair  
Committee on Ethics and Elections

**Subject:** Committee Agenda Request

**Date:** January 21, 2020

---

I respectfully request that **Senate Bill #352**, relating to Unlawful Use of Uniforms, Medals, or Insignia, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink that reads "Travis Hutson".

---

Senator Travis Hutson  
Florida Senate, District 7

## **SB 352 – Unlawful Use of Uniforms, Medals, or Insignia (Identical HB 205)**

This bill amends s. 817.312, F.S., adding further criteria for the unlawful use of uniforms, medals, or insignia. Currently, “a person may not misrepresent himself or herself as a member or veteran of the” armed forces or “wear the uniform of or any medal or insignia authorized for use by members or veterans of the” armed forces “while soliciting for charitable contributions or for the purpose of material gain.” This bill adds “or for professional or political benefit,” expanding the pool of potential offenders under this unranked, 3<sup>rd</sup> degree felony (Level 1 by default).

Per DOC, in FY 18-19, there were no offenders admitted to prison for a violation of s. 817.312, F.S. Given this information, this expansion of the statute should not have a significant effect on prison beds.

**EDR PROPOSED ESTIMATE: Positive Insignificant**

**Requested by: Senate**



APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Tab #6

1/27/20

Meeting Date

352

Bill Number (if applicable)

Topic Unlawful Use of Uniforms

Amendment Barcode (if applicable)

Name Jodi James

Job Title Legislative Chair

Address 1375 Cypress Ave

Phone 321 890 7302

Street

Melbourne, FL 32935

City

State

Zip

Email jodi@FLCAN.org

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing Florida Cannabis Action Network - Veterans Committee

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Ethics and Elections

---

BILL: SJR 1216

INTRODUCER: Senator Gruters

SUBJECT: Limitation on Terms of Office for Members of a District School Board

DATE: January 24, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Roberts	EE	<b>Pre-meeting</b>
2.			ED	
3.			RC	

---

**I. Summary:**

SJR 1216 proposes that district school board members be subject to a 12-year consecutive service term limitation. The restriction goes further than the current “eight-is-enough” term limit that applies to Cabinet members and State legislators. The provision would operate prospectively beginning with the 2020 general election. The likely earliest date that any currently serving school board member could be “termed-out” would be in November 2032.

The joint resolution, if passed by a 3/5ths vote of each House of the Legislature, will be voted on at the general election in November 2020, unless the legislature authorizes an earlier special election for that specific purpose.

**II. Present Situation:**

**Term Limits**

The Florida Constitution provides that a person holding any of the following offices may not have his or her name on the ballot for reelection if the person has served, or but for resignation would have served, in an office for *eight* consecutive years:

- State Senator;
- State Representative;
- Lieutenant Governor;
- Florida Cabinet member;
- U.S. Representative from Florida; or
- U.S. Senator from Florida.<sup>1</sup>

---

<sup>1</sup> Art. VI, s. 4(b), FLA. CONST.

The U.S. Supreme Court has held that state-imposed limits on the terms of *federal* office holders violate the U.S. Constitution, effectively rendering unenforceable Florida's term limits on its congressional members.<sup>2</sup>

The term limits provision was proposed by citizen initiative and passed at the 1992 general election by a greater than 3-to-1 margin (approved by over 76% of electors voting on the measure).<sup>3</sup> The amendment applied *prospectively*; service prior to the 1992 election did not count toward the eight-year restriction. Thus, the term limits amendment did not begin to have a direct impact until the 2000 election cycle.

### **Florida School Boards**

There are currently 358 school board members across the 67 districts in Florida.<sup>4</sup> There is no provision in the Florida Constitution or Florida Statutes that limits the term of school board members.

Section 4(a) of Article IX of the Florida Constitution provides that:

Each county shall constitute a school district ... In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

The responsibility of each school district includes operating, controlling, and supervising all free public schools within the school district and determining the rate of school district taxes within the limits of the school district.<sup>5</sup>

### **III. Effect of Proposed Changes:**

SJR 1216 provides that a person may not appear on the ballot for reelection to the office of school board member if by the end of his or her current term he or she served, or but for resignation will have served, in that office for 12 consecutive years. The language goes further than the current 8-year constitutional limits that apply to Cabinet members and State legislators. The proposed amendment would operate prospectively beginning with the 2020 general election, unless the Legislature authorizes it to be voted at an earlier special election; thus, the earliest any currently serving school board member could be "termed-out" likely would be at the 2032 general election.

---

<sup>2</sup> See, *U.S. Term Limits, Inc. v. Thornton*, 115 S. Ct. 1842 (1995).

<sup>3</sup> See Florida Division of Elections website at <http://dos.elections.myflorida.com/initiatives/> (Year=1992; Ballot proposal #9) (last visited Dec. 26, 2019). For more information on the 1992 term-limit constitutional amendment, see <http://dos.elections.myflorida.com/initiatives/initdetail.asp?account=1066&seqnum=1> (last visited Dec. 26, 2019).

<sup>4</sup> The Florida School Boards Association, *State of the Association, Vol. 3* at p.1 (2017-18 Annual Report), available at: <http://fsba.org/wp-content/uploads/2018/11/annual-report-201718.pdf> (last visited Dec. 26, 2019). For a list of all Florida school boards and a link to the corresponding school boards website see: <http://fsba.org/membership/school-boards/> (last visited Dec. 26, 2019).

<sup>5</sup> Fla. Const. Art. IX s. 4(b).

The joint resolution, if passed by a 3/5ths vote of each House of the Legislature, will be voted on at the general election in November 2020, unless the legislature authorizes an earlier special election for that purpose. The joint resolution would apply upon approval of the voters — at least 60% of those voting on the measure.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Division of Elections is required to advertise the full text of proposed constitutional amendments in English and Spanish twice in a newspaper of general circulation in each county before the election in which the amendment shall be submitted to the electors. The Division is also required to provide each Supervisor of Elections with either booklets or posters displaying the full text of proposed amendments.

The Division has not completed an agency bill analysis for this bill or for the identical House Bill. Using the Division's 2018 general election estimate of \$120.31 per word, this amendment would cost just over **\$38,250**.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This joint resolution substantially amends Articles IX and XII of the Florida Constitution.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.



327674

LEGISLATIVE ACTION

Senate

.  
. .  
. .  
. .  
. .

House

---

The Committee on Ethics and Elections (Gruters) recommended the following:

**Senate Amendment**

Delete lines 34 - 53  
and insert:  
resignation would have served, in that office for eight  
consecutive years.

ARTICLE XII

SCHEDULE

Limitation on terms of office for members of a district  
school board.-This section and the amendment to Section 4 of



327674

11 Article IX imposing limits on the terms of office for members of  
12 a district school board shall take effect on the date they are  
13 approved by the electorate, but no service in a term of office  
14 that commenced before November 3, 2020, will be counted toward  
15 the limitation imposed by this amendment.

16 BE IT FURTHER RESOLVED that the following statement be  
17 placed on the ballot:

18 CONSTITUTIONAL AMENDMENT

19 ARTICLE IX, SECTION 4

20 ARTICLE XII

21 LIMITATION ON TERMS OF OFFICE FOR MEMBERS OF A DISTRICT SCHOOL  
22 BOARD.—Proposing an amendment to the State Constitution to limit  
23 terms for school board members by prohibiting incumbent members  
24 who have held the office for the preceding eight years

By Senator Gruters

23-01781A-20

20201216\_\_

## Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution to limit the terms of office for a member of a district school board.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

## ARTICLE IX

## EDUCATION

## SECTION 4. School districts; school boards.—

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district. In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

(b) The school board shall operate, control and supervise all free public schools within the school district and determine the rate of school district taxes within the limits prescribed herein. Two or more school districts may operate and finance

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

23-01781A-20

20201216\_\_

joint educational programs.

(c) A person may not appear on the ballot for reelection to the office of school board member if, by the end of his or her current term of office, the person will have served, or but for resignation would have served, in that office for twelve consecutive years.

## ARTICLE XII

## SCHEDULE

Limitation on terms of office for members of a district school board.—This section and the amendment to Section 4 of Article IX imposing limits on the terms of office for members of a district school board shall take effect on the date they are approved by the electorate, but no service in a term of office that commenced before November 3, 2020, will be counted toward the limitation imposed by this amendment.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

## CONSTITUTIONAL AMENDMENT

## ARTICLE IX, SECTION 4

## ARTICLE XII

LIMITATION ON TERMS OF OFFICE FOR MEMBERS OF A DISTRICT SCHOOL BOARD.—Proposing an amendment to the State Constitution to limit terms for school board members by prohibiting incumbent members who have held the office for the preceding twelve years from appearing on a ballot for reelection to that office and to specify that the amendment applies only to terms of office beginning on or after November 3, 2020.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Commerce and Tourism, *Chair*  
Finance and Tax, *Vice Chair*  
Appropriations Subcommittee on Criminal  
and Civil Justice  
Banking and Insurance

### JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

### SENATOR JOE GRUTERS

23rd District

January 20, 2020

The Honorable Dennis Baxley, Chair  
Ethics and Elections Committee  
420 Knott Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Baxley:

I am writing to request that Senate Bill 1216, Limitation on Terms of Office for Members of a District School Board to be placed on the agenda of the Ethics and Elections Committee meeting.

Should you have any questions regarding this bill, please do not hesitate to reach out to me. Thank you for your time and consideration.

Warm regards,

A handwritten signature in black ink that reads "Joe Gruters". The signature is written in a cursive, flowing style.

Joe Gruters

cc: Dawn Roberts, Staff Director  
Diane Vause, Committee Administrative Assistant

#### REPLY TO:

- 381 Interstate Boulevard, Sarasota, Florida 34240 (941) 378-6309
- 324 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5023

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BILL GALVANO**  
President of the Senate

**DAVID SIMMONS**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Ethics and Elections

---

BILL: SB 1312

INTRODUCER: Senator Montford

SUBJECT: Voting Systems

DATE: January 24, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Roberts	EE	<b>Favorable</b>
2.	_____	_____	GO	_____
3.	_____	_____	AP	_____

---

**I. Summary:**

SB 1312 gives county canvassing boards and supervisors of elections the *option* to use State-certified, digital-imaging, automated tabulating equipment that is not part of the county’s voting system to conduct both machine and manual *recounts*. Currently, only nine counties —**Bay, Broward, Columbia, Hillsborough, Indian River, Leon, Nassau, Putnam, and St. Lucie** — are expected to use such equipment to conduct *post-certification*, automated *audits* for the 2020 election cycle.

The bill takes effect upon becoming a law.

**II. Present Situation:**

**Voting Systems**

A “voting system” is a method of casting and processing votes that consists of electromechanical components and, in most instances, utilizes marksense ballots.<sup>1</sup> The voting system may also include things like procedures, operating manuals, supplies, printouts, and other software necessary for the system’s operation.

The Division of Elections must approve all voting systems used in Florida elections. Florida’s certification process is among the most comprehensive in the nation. The Electronic Voting Systems Act in the Florida Elections Code prescribes the general standards for the approval of voting systems; division rule further details the complex, technical certification requirements.<sup>2</sup>

---

<sup>1</sup> Section 97.021(45), F.S.

<sup>2</sup> Sections 101.5605, 101.5606, F.S.; *see*, Florida Division of Elections, Bureau of Voting Systems Certification, Form DS-DE 101 (eff. Jan. 12, 2005) (incorporated by reference, Rule 1S-5.001, F.A.C.) (66-page *Florida Voting System Standards* document containing technical requirements for certification), available at <http://dos.myflorida.com/media/693718/dsde101.pdf>, (last accessed Jan. 8, 2020).

The certification process tests the reliability of both the hardware and software components of the voting system to make sure that they meet rigorous standards.

### **Recounts**

The preliminary results of an extremely close election may warrant a statutory *machine* and/or *manual* recount, depending on the margin of victory. The recount occurs *before* the election results are certified. The purpose of the recount is to determine *who won an election*. The State Elections Canvassing Commission, in the case of federal, state, and multicounty races, and the local county canvassing board in most other elections, must certify the results by the 9<sup>th</sup> day after a primary election and the 14<sup>th</sup> day after a general election.<sup>3</sup>

The current recount framework, with only a few minor modifications for peripheral issues, has been in effect since the Legislature enacted the Florida Election Reform Act of 2001 — which completely overhauled the State’s outdated recount process after the 2000 U.S. presidential recount.

### ***Machine Recounts***

If the *first* set of unofficial results<sup>4</sup> indicate that the margin of victory in any race is one-half of one percent or less, each canvassing board must run the marksense ballots through the *voting system’s* automatic tabulating equipment for every affected precinct.<sup>5</sup> During this machine recount process, the tabulators sort out the overvotes and undervotes, in case the results are close enough to warrant a manual recount of overvotes and undervotes. Touchscreen ballots for disabled voters are recounted by examining and reconciling discrepancies in the precinct tabulator counters. There are also requirements for canvassing boards to perform L & A (“logic-and-accuracy”) tests on the tabulation equipment prior to re-tabulation, duplicating damaged ballots, and addressing voting discrepancies.

### ***Manual Recounts***

If the machine recount results comprising the *second* set of unofficial results<sup>6</sup> indicate a margin of victory of one-quarter of one percent or less, the county canvassing board generally must conduct a manual recount of the *overvotes* and *undervotes*.<sup>7</sup>

---

<sup>3</sup> Section 102.111(2), F.S. County canvassing boards must submit final returns to the Department of State for races certified by the Elections Canvassing Commission no later than 5:00 p.m. on the 7<sup>th</sup> day after a primary election and by noon on the 12<sup>th</sup> day after a general election. Section 102.112(1),(2), F.S. (Prior to 2007, the deadline for the county canvassing board to submit general election results was even earlier — 5:00 p.m. on the 11<sup>th</sup> day after the election. Ch. 2007-30, § 32, LAWS OF FLA. (codified at § 102.112(2), F.S.))

<sup>4</sup> County canvassing boards must report the first set of unofficial results in federal, statewide, state or multicounty office or ballot measure to the Department of State by noon of the third day after a primary election and noon of the 4<sup>th</sup> day after a general election. Section 102.141(5), F.S.

<sup>5</sup> Section 102.141(7), F.S. A losing candidate within one-half of one percent or less can waive the automatic recount in writing. *Id.*

<sup>6</sup> County canvassing boards must report the second set of unofficial results in federal, statewide, state or multicounty office or ballot measure to the Department of State by 3:00 p.m. of the 5<sup>th</sup> day after a primary election and 3:00 p.m. of the 9<sup>th</sup> day after a general election. Section 102.141(7)(c), F.S.

<sup>7</sup> Section 102.166(1), F.S. A manual recount is not required if the losing candidate waives the recount or if the number of overvotes and undervotes to be recounted is fewer than the number of votes needed to change the election outcome. *Id.*

The majority of the manual recount process involves teams of two electors (preferably from opposing parties) reviewing marksense paper ballots to determine whether there is a “clear indication on the ballot that the voter has made a definite choice” — a very detailed process in the case of some markings.<sup>8</sup> If a team cannot agree, the ballot is “bumped up” to the canvassing board for a final determination.<sup>9</sup>

Recounts are governed by complex procedures and requirements designed to protect the integrity of the process, involving:

- Duplication of ballots;
- Security of ballots during the recount;
- Time and location of the recount;
- Opportunity for public observance;
- Objections to ballot determinations;
- Recordation of recount proceedings; and,
- Processes relating to affected candidates.<sup>10</sup>

The recount process — both machine and manual — creates numerous logistical and organizational challenges for county supervisors of elections; depending on the race and the number of ballots involved, it can be a very time-consuming and labor-intensive process. With rare exception,<sup>11</sup> county canvassing boards and supervisors of elections have repeatedly risen to the challenge when a State-certified recount has been necessary.<sup>12</sup>

### Voting System Audits

Voting system audits, as distinct from recounts, are conducted *after* the final canvassing board certifies the election results for the purposes of *confirming* the accuracy of the *voting system tabulation* and *identifying problems and recommending cures for future elections*.

<sup>8</sup> Section 102.166(4)(b), F.S. The division has a 14-page rule detailing which ballot markings constitute a valid vote in the context of how a voter filled out a particular ballot. Rule 1S-2.027, F.A.C. There are also some relatively straightforward rules for counting touchscreen ballots cast on disability voting equipment. *Id.*

<sup>9</sup> Section 102.166(5)(c), F.S.

<sup>10</sup> Section 102.166(5)(b),(d), F.S.; Rule 1S-2.031 (Recount Procedures).

<sup>11</sup> In the 2018 General Election, Broward, Hillsborough, Miami-Dade, and Palm Beach counties were reported to have missed an interim deadline for submitting *unofficial* results to the State. Frances Robles, New York Times, [Nearly 3,000 Votes Disappeared from Florida’s Recount. That’s Not Supposed to Happen](https://www.nytimes.com/2018/11/16/us/voting-machines-florida.html) (Nov. 16, 2018) (available at <https://www.nytimes.com/2018/11/16/us/voting-machines-florida.html>) (last accessed Jan. 8, 2020). Notwithstanding, all but Palm Beach County, because of its antiquated voting system hardware, were able to certify *final* results to the State in all recount races by the deadline on the 12<sup>th</sup> day following the election.

<sup>12</sup> For 8+ election cycles beginning in 2002, county canvassing boards conducted *recounts in 37 elections (37 machine; 15 manual)* (review of primary, general and special election results from 2002-2018, excluding the 2018 General Election). *See generally*, Florida Division of Elections, [Election Results Archive](https://results.elections.myflorida.com/) web site, available at <https://results.elections.myflorida.com/> (last accessed Jan. 8, 2020). Some of these recounts may have involved multiple counties, effectively increasing the total numbers (assuming each county’s recount constitutes a separate event). In the 2018 General Election, canvassing boards and supervisors *simultaneously* conducted an additional *204 countywide machine recounts and 137 countywide manual recounts* in three separate statewide races (U.S. Senate, Governor, and Commissioner of Agriculture), one Florida Senate race (District 18), and two Florida House races (District 26 and District 89). *See generally*, Florida Division of Elections, [Election Results Archive](https://results.elections.myflorida.com/) website, available at <https://results.elections.myflorida.com/> (last accessed Jan.8, 2020).

Section 101.591(1), F.S., provides:

*Immediately following the certification of each election, the county canvassing board... shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts (emphasis added).*

Manual random audits consist of a public, hand tally of a 1%-2% of precincts in a single race on the ballot.<sup>13</sup> The audit includes a tally of Election Day, vote-by-mail, early voting, provisional, and overseas ballots.

Automated audits are much more extensive, tallying votes cast across every race that appears on the ballot.<sup>14</sup> The tally includes all election day, vote-by-mail, early voting, provisional, and overseas ballot in at least of 20% of the precincts chosen at random by the canvassing board.

The division “approves” the independent audit equipment pursuant to both statutory and rule standards. The automated audit equipment must be:<sup>15</sup>

- Completely independent of the primary voting system;
- Fast enough to produce audit results no later than midnight of the 7<sup>th</sup> day following election certification; and,
- Capable of demonstrating that the audit system has accurately tallied the ballots.

Division Rule 1S-5.026, F.A.C., contains additional “approval” requirements and procedures, which are not as comprehensive as the requirements for certifying full voting systems.<sup>16</sup>

<sup>13</sup> Section 101.591(2)(a), F.S.

<sup>14</sup> Section 101.591(2)(b), F.S. In 2013, Florida became the first state to give counties the option of conducting post-certification audits either manually or through an automated, independent method. Ch. 2013-57, § 10, LAWS OF FLA. (codified at § 101.591, F.S.); Hillary Lincoln, Marketing and Communications Manager, Clear Ballot, Clear Ballot's Audit of Florida's Presidential Election Results a Success (Dec. 14, 2016) (press release), available at <http://www.prnewswire.com/news-releases/clear-ballots-audit-of-floridas-presidential-election-results-a-success-300378422.html> (last accessed Jan. 8, 2020) [hereinafter, Clear Ballot, 2016 Press Release]. Division of Elections indicates that the *ClearAudit* digital imaging system from Clear Ballot Group of Boston, MA, was the only system approved to conduct automated audits for the 2016 and 2018 general election cycles. *See*, Florida Division of Elections, Approvals and Technical Advisories (identifying Democracy Live, Inc.’s, *LiveBallot* electronic ballot delivery/duplication [non-audit] system as the only other system that the division “approved”), available at <http://dos.myflorida.com/elections/voting-systems/approvals-and-technical-advisories/> (last accessed Jan. 8, 2020); Maria Matthews, Director, Florida Division of Elections, ClearAudit 1.4.4. Approval Letter (July 27, 2018, available at <https://dos.myflorida.com/media/699784/clearaudit-144-approval-7272018.pdf> (approving *ClearAudit* as alternative to manual audit process provided in s. 101.591, F.S. for 2018 election cycle) (last accessed Jan. 8, 2020); Maria Matthews, Director, Florida Division of Elections, ClearAudit Interim Approval Extension Letter (Jan. 25, 2016) (approving *ClearAudit* as alternative to manual audit process provided in s. 101.591, F.S. for 2016 election cycle), available at <http://dos.myflorida.com/media/695954/clearaudit-106-interim-approval-extension-1252016.pdf> (last accessed Jan. 8, 2020). Seven of Florida’s 67 counties — **Bay, Broward, Columbia, Leon, Nassau, Putnam, and St. Lucie** — used the Clear Ballot product to audit nearly 14% of the ballots cast in the Florida 2016 general election. Clear Ballot, 2016 Press Release. For more information on *ClearAudit* (last visited Jan. 8, 2020). Since that time, staff understands that Hillsborough and Indian River counties have also purchased the equipment, and plan to use it to conduct the legally required, post-election-certification audits in the 2020 election cycle.

<sup>15</sup> Section 101.591(2)(c), F.S.

<sup>16</sup> Rule 1S-5.026 (Post-Election Certification Voting System Audit); *see also, infra* note 2 and accompanying text (discussing voting system certification requirements).

The canvassing board must complete the audit no later than midnight of the 7<sup>th</sup> day after it certifies the election results.<sup>17</sup> The canvassing board must provide a report to the Department of State by the 15<sup>th</sup> day after completing the audit that addresses:<sup>18</sup>

- The overall accuracy of the audit;
- A description of any problems or discrepancies encountered;
- The likely cause of such problems or discrepancies; and,
- Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

If a manual recount takes place, the affected canvassing board is not required to conduct an audit.<sup>19</sup>

### III. Effect of Proposed Changes:

SB 1312 gives county canvassing boards and supervisors of elections the *option* to use digital imaging, automated tabulating equipment that is not part of the voting system to conduct *pre-certification* machine *and* manual recounts.

In the machine recount process, the ballots are run through the digital imaging tabulators and not the voting system's tabulators that performed the original tally. Overvotes and undervotes may be sorted physically or digitally, in case the results are close enough to require a manual recount.

To facilitate faster manual recounts of overvotes and undervotes, SB 1312 specifically allows for the counting of the actual paper ballots *or* the digital image of the ballots.

Further, the bill directs the division to adopt by rule "procedures relating to the certification, and the use thereof, of automatic tabulating equipment that is not part of a voting system." Use of the word "certification" suggests a higher threshold for authorization than the current "approval" process for automated *audit* systems, something more akin to the *voting systems* certification standards.

The bill takes effect upon becoming a law.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

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<sup>17</sup> Section 101.591(4), F.S.

<sup>18</sup> Section 101.591(5), F.S.

<sup>19</sup> Section 101.591(6), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

As the bill makes the use of digital imaging systems for recounts permissive, any private sector impact would be purely speculative.

C. Government Sector Impact:

As the bill makes the use of digital imaging systems for recounts permissive and there is no way to predict which county may be impacted by a recount, any government sector impact would be purely speculative.

Supervisors of elections currently using digital-imaging, automated tabulating equipment to conduct automated audits may realize cost savings in the event of a recount. As counties generally fund elections at the local level, supervisors wishing to purchase new or add additional digital-imaging equipment would not need an expenditure from the State's General Revenue fund.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The bill sponsor may wish to consider changing the effective date to January 1, 2021 (after the 2020 election cycle), to allow the Department of State sufficient time to formally adopt new rules for certifying the digital imaging equipment for recount purposes, modifying recount rules/procedures as necessary, and certifying the systems (should the new rules provide additional requirements beyond the current "approval" process governing the use of the equipment for post-certification audits). Further, Florida's recent electoral history and experience suggest that it may be desirable to roll-out these type of election administration system changes in a *non-presidential* election cycle ... when Florida is under less national media scrutiny.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 97.021, 101.5614, 102.141, and 102.166.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Montford

3-01197A-20

20201312\_\_

1 A bill to be entitled  
 2 An act relating to voting systems; amending s. 97.021,  
 3 F.S.; defining the term "automatic tabulating  
 4 equipment" for purposes of the Florida Election Code;  
 5 amending s. 101.5614, F.S.; revising procedures  
 6 governing the canvassing of returns to specify usage  
 7 of a voting system's automatic tabulating equipment;  
 8 amending s. 102.141, F.S.; clarifying the  
 9 circumstances under which ballots must be processed  
 10 through automatic tabulating equipment in a recount;  
 11 amending s. 102.166, F.S.; specifying the manner by  
 12 which a manual recount may be conducted; revising  
 13 requirements for hardware or software used in a manual  
 14 recount; authorizing overvotes and undervotes to be  
 15 identified and sorted physically or digitally in a  
 16 manual recount; revising minimum requirements for  
 17 Department of State rules to require procedures  
 18 regarding the certification and use of automatic  
 19 tabulating equipment for manual recounts; providing an  
 20 effective date.

21  
 22 Be It Enacted by the Legislature of the State of Florida:

23  
 24 Section 1. Present subsections (5) through (46) of section  
 25 97.021, Florida Statutes, are renumbered as subsections (6)  
 26 through (47), respectively, and a new subsection (5) is added to  
 27 that section, to read:

28 97.021 Definitions.—For the purposes of this code, except  
 29 where the context clearly indicates otherwise, the term:

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30 (5) "Automatic tabulating equipment" means an apparatus  
 31 that automatically examines, counts, and records votes.  
 32 Section 2. Paragraph (a) of subsection (4) and subsections  
 33 (6) and (7) of section 101.5614, Florida Statutes, are amended  
 34 to read:  
 35 101.5614 Canvass of returns.—  
 36 (4) (a) If any vote-by-mail ballot is physically damaged so  
 37 that it cannot properly be counted by the voting system's  
 38 automatic tabulating equipment, a true duplicate copy shall be  
 39 made of the damaged ballot in the presence of witnesses and  
 40 substituted for the damaged ballot. Likewise, a duplicate ballot  
 41 shall be made of a vote-by-mail ballot containing an overvoted  
 42 race or a marked vote-by-mail ballot in which every race is  
 43 undervoted which shall include all valid votes as determined by  
 44 the canvassing board based on rules adopted by the division  
 45 pursuant to s. 102.166(4). Upon request, a physically present  
 46 candidate, a political party official, a political committee  
 47 official, or an authorized designee thereof, must be allowed to  
 48 observe the duplication of ballots. All duplicate ballots shall  
 49 be clearly labeled "duplicate," bear a serial number which shall  
 50 be recorded on the defective ballot, and be counted in lieu of  
 51 the defective ballot. After a ballot has been duplicated, the  
 52 defective ballot shall be placed in an envelope provided for  
 53 that purpose, and the duplicate ballot shall be tallied with the  
 54 other ballots for that precinct.  
 55 (6) Vote-by-mail ballots may be counted by the voting  
 56 system's automatic tabulating equipment if they have been marked  
 57 in a manner which will enable them to be properly counted by  
 58 such equipment.

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59 (7) The return printed by the voting system's automatic  
 60 tabulating equipment, to which has been added the return of  
 61 write-in, vote-by-mail, and manually counted votes and votes  
 62 from provisional ballots, shall constitute the official return  
 63 of the election upon certification by the canvassing board. Upon  
 64 completion of the count, the returns shall be open to the  
 65 public. A copy of the returns may be posted at the central  
 66 counting place or at the office of the supervisor of elections  
 67 in lieu of the posting of returns at individual precincts.

68 Section 3. Paragraph (a) of subsection (7) of section  
 69 102.141, Florida Statutes, is amended to read:

70 102.141 County canvassing board; duties.-

71 (7) If the unofficial returns reflect that a candidate for  
 72 any office was defeated or eliminated by one-half of a percent  
 73 or less of the votes cast for such office, that a candidate for  
 74 retention to a judicial office was retained or not retained by  
 75 one-half of a percent or less of the votes cast on the question  
 76 of retention, or that a measure appearing on the ballot was  
 77 approved or rejected by one-half of a percent or less of the  
 78 votes cast on such measure, a recount shall be ordered of the  
 79 votes cast with respect to such office or measure. The Secretary  
 80 of State is responsible for ordering recounts in federal, state,  
 81 and multicounty races. The county canvassing board or the local  
 82 board responsible for certifying the election is responsible for  
 83 ordering recounts in all other races. A recount need not be  
 84 ordered with respect to the returns for any office, however, if  
 85 the candidate or candidates defeated or eliminated from  
 86 contention for such office by one-half of a percent or less of  
 87 the votes cast for such office request in writing that a recount

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88 not be made.

89 (a) Each canvassing board responsible for conducting a  
 90 recount shall put each marksense ballot through automatic  
 91 tabulating equipment and determine whether the returns correctly  
 92 reflect the votes cast. If any marksense ballot is physically  
 93 damaged so that it cannot be properly counted by the automatic  
 94 tabulating equipment during the recount, a true duplicate shall  
 95 be made of the damaged ballot pursuant to the procedures in s.  
 96 101.5614(4). Immediately before the start of the recount, a test  
 97 of the tabulating equipment shall be conducted as provided in s.  
 98 101.5612. If the test indicates no error, the recount tabulation  
 99 of the ballots cast shall be presumed correct and such votes  
 100 shall be canvassed accordingly. If an error is detected, the  
 101 cause therefor shall be ascertained and corrected and the  
 102 recount repeated, as necessary. The canvassing board shall  
 103 immediately report the error, along with the cause of the error  
 104 and the corrective measures being taken, to the Department of  
 105 State. No later than 11 days after the election, the canvassing  
 106 board shall file a separate incident report with the Department  
 107 of State, detailing the resolution of the matter and identifying  
 108 any measures that will avoid a future recurrence of the error.  
 109 If the automatic tabulating equipment used in a recount is not  
 110 part of the voting system and the ballots have already been  
 111 processed through such equipment, the canvassing board is not  
 112 required to put each ballot through any automatic tabulating  
 113 equipment again.

114 Section 4. Subsections (1), (2), and (5) of section  
 115 102.166, Florida Statutes, are amended to read:

116 102.166 Manual recounts of overvotes and undervotes.-

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117 (1) If the second set of unofficial returns pursuant to s.  
 118 102.141 indicates that a candidate for any office was defeated  
 119 or eliminated by one-quarter of a percent or less of the votes  
 120 cast for such office, that a candidate for retention to a  
 121 judicial office was retained or not retained by one-quarter of a  
 122 percent or less of the votes cast on the question of retention,  
 123 or that a measure appearing on the ballot was approved or  
 124 rejected by one-quarter of a percent or less of the votes cast  
 125 on such measure, a manual recount of the overvotes and  
 126 undervotes cast in the entire geographic jurisdiction of such  
 127 office or ballot measure shall be ordered unless:

128 (a) The candidate or candidates defeated or eliminated from  
 129 contention by one-quarter of 1 percent or fewer of the votes  
 130 cast for such office request in writing that a recount not be  
 131 made; or

132 (b) The number of overvotes and undervotes is fewer than  
 133 the number of votes needed to change the outcome of the  
 134 election.

135  
 136 The Secretary of State is responsible for ordering a manual  
 137 recount for federal, state, and multicounty races. The county  
 138 canvassing board or local board responsible for certifying the  
 139 election is responsible for ordering a manual recount for all  
 140 other races. A manual recount consists of a recount of marksense  
 141 ballots or of digital images of those ballots by a person.

142 (2) Any hardware or software used to identify and sort  
 143 overvotes and undervotes for a given race or ballot measure must  
 144 be certified by the Department of State ~~as part of the voting~~  
 145 ~~system pursuant to s. 101.015.~~ Any such hardware or software

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146 must be capable of simultaneously identifying and sorting  
 147 overvotes and undervotes in multiple races while simultaneously  
 148 counting votes. Overvotes and undervotes must be identified and  
 149 sorted while recounting ballots pursuant to s. 102.141.  
 150 Overvotes and undervotes may be identified and sorted physically  
 151 or digitally.

152 (5) Procedures for a manual recount are as follows:

153 (a) The county canvassing board shall appoint as many  
 154 counting teams of at least two electors as is necessary to  
 155 manually recount the ballots. A counting team must have, when  
 156 possible, members of at least two political parties. A candidate  
 157 involved in the race shall not be a member of the counting team.

158 (b) Each duplicate ballot prepared pursuant to s.  
 159 101.5614(4) or s. 102.141(7) shall be compared with the original  
 160 ballot to ensure the correctness of the duplicate.

161 (c) If a counting team is unable to determine whether the  
 162 ballot contains a clear indication that the voter has made a  
 163 definite choice, the ballot shall be presented to the county  
 164 canvassing board for a determination.

165 (d) The Department of State shall adopt detailed rules  
 166 prescribing additional recount procedures for each certified  
 167 voting system which shall be uniform to the extent practicable.  
 168 The rules shall address, at a minimum, the following areas:

- 169 1. Security of ballots during the recount process;
- 170 2. Time and place of recounts;
- 171 3. Public observance of recounts;
- 172 4. Objections to ballot determinations;
- 173 5. Record of recount proceedings; ~~and~~
- 174 6. Procedures relating to candidate and petitioner

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175 representatives; and

176 7. Procedures relating to the certification and the use of  
177 automatic tabulating equipment that is not part of a voting  
178 system.

179 Section 5. This act shall take effect upon becoming a law.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

1312

Bill Number (if applicable)

Topic SB 1312

Amendment Barcode (if applicable)

Name MARK EARLEY

Job Title SUPERVISOR OF ELECTIONS - LEON COUNTY

Address 2990-1 APPALACHEE PKWY

Phone 850-590-4852

Street  
CITY IALAHASSEE FL State 32301 Zip

Email earley.m@leoncount,fl.gov

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLORIDA SUPERVISORS OF ELECTIONS

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1.27.20

*Meeting Date*

SB 1312

*Bill Number (if applicable)*

Topic Voting

*Amendment Barcode (if applicable)*

Name Kara Gross

Job Title Legislative Director

Address 4343 West Flagler St.

Phone 786-363-4436

*Street*

Miami

FL

33134

Email kgross@aclufl.org

*City*

*State*

*Zip*

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing American Civil Liberties Union of Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020  
Meeting Date

1312  
Bill Number (if applicable)

Topic Voting Systems

Amendment Barcode (if applicable)

Name David Banks

Job Title Lobbyist

Address 120 S Monroe St  
Street

Phone 850 727 7087

Tallahassee FL 32301  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Supervisors of Elections

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

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1-27-2020  
Meeting Date

SB 1312  
Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name David Ash

Job Title \_\_\_\_\_

Address PO Box 11201

Phone 850-251-0985

Street

Tallahassee

FL

32302

City

State

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Common Cause FL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/20

Meeting Date

1312

Bill Number (if applicable)

Topic VOTING SYSTEMS

Amendment Barcode (if applicable)

Name RON LABASKY

Job Title

Address 245 S. Monroe St.

Phone 222-7718

Street

TALL

FL

33302

City

State

Zip

Email

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing FSE

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

January 27, 2020

Meeting Date

1312

Bill Number (if applicable)

Topic VOTING AUDITS EFFICIENCY

Amendment Barcode (if applicable)

Name Dan Hendrickson

Job Title

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32302

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City

State

Zip

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against (The Chair will read this information into the record.)

Representing

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Ethics and Elections

---

BILL: SB 1354

INTRODUCER: Senator Brandes

SUBJECT: Statewide Voter Registration Application

DATE: January 24, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Mitchell</u>	<u>Roberts</u>	<u>EE</u>	<b>Favorable</b>
2.	_____	_____	<u>JU</u>	_____
3.	_____	_____	<u>RC</u>	_____

---

**I. Summary:**

SB 1354 restores the former statutory *felon declaration of voting eligibility* language on the statewide voter registration application, after a federal court invalidated the 2019 legislative form changes adopted to implement Constitutional Ballot Amendment 4 (2018) (felon voting restoration). The bill codifies and re-adopts the straightforward pre-2019 language, which the Florida Division of Elections and county supervisors of elections had resorted to using as a stop-gap measure following the federal court ruling.

The bill takes effect upon becoming law.

**II. Present Situation:**

**Amendment 4 (2018) Ballot Measure**

Until the 2018 election, Article VI, section 4 of the Florida Constitution disqualified a person convicted of a felony from voting or holding office until restoration of his or her civil rights.<sup>1</sup>

In the 2018 General Election, Florida voters approved Amendment 4 with 64 percent of the vote, amending the Florida Constitution to provide voting rights restoration to specified voters. Specifically, the ballot language provided that “any disqualification arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.”<sup>2</sup> The provision excludes a “person convicted of murder

---

<sup>1</sup> Article VI, s. 4, FLA. CONST. (2018)

<sup>2</sup> *Id.* See also Time, ‘Our Voice Will Count.’ *Former Felon Praises Florida Passing Amendment 4, Which Will Restore Voting Rights to 1.4 Million People*, Alejandro De Le Garza, November 7, 2018, available at <http://time.com/5447051/florida-amendment-4-felon-voting/> (last visited on Jan. 23, 2020).

or a felony sexual offense” from restoration of voting rights unless and until his or her civil rights are restored.<sup>3</sup>

### Legislative Implementation

With regard to restoration of voting rights, Florida’s statewide voter registration form used to simply require an applicant to mark a checkbox affirming that he or she was not a convicted felon, or, if so, that he or she had his or her voting rights restored.<sup>4</sup>

In 2019, the Legislature adopted Amendment 4 implementing language, including highly-detailed changes to the statewide voter registration application’s felon declaration of voter eligibility designed to more closely track the language of the Amendment.<sup>5</sup> Specifically, the 2019 bill provided that the statewide voter registration application must elicit:

- (t)1. Whether the applicant has never been convicted of a felony by including the statement “I affirm I have never been convicted of a felony.” and providing a box for the applicant to check to affirm the statement.
2. Whether the applicant has been convicted of a felony, and if convicted, has had his or her civil rights restored through executive clemency, by including the statement “If I have been convicted of a felony, I affirm my voting rights have been restored by the Board of Executive Clemency.” and providing a box for the applicant to check to affirm the statement.
3. Whether the applicant has been convicted of a felony and, if convicted, has had his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution, by including the statement “If I have been convicted of a felony, I affirm my voting rights have been restored pursuant to s. 4, Art. VI of the State Constitution upon the completion of all terms of my sentence, including parole or probation.” and providing a box for the applicant to check to affirm the statement.<sup>6</sup>

### Judicial Action

In October 2019, Judge Robert Hinkle of the United States District Court for the Northern District of Florida threw out the new statutory language as not only inartfully drawn but *defective*, in failing to “reach felons whose rights have been restored in other states or through other methods, including executive pardons.”<sup>7</sup> In analyzing plaintiff’s due process claim, the Judge stated:

Prior to the adoption of SB 7066, Florida’s standard voter-registration form required an applicant to attest that the applicant had never been convicted of a felony or, if the applicant had been convicted of a felony, the right to vote had been restored. (cite

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<sup>3</sup> The DOS, Division of Elections, *Proposed Constitutional Amendments and Revisions for the 2018 General Election*, p. 10-11, available at <https://dos.myflorida.com/media/699824/constitutional-amendments-2018-general-election-english.pdf> (last visited on Jan. 23, 2020).

<sup>4</sup> Section 97.052(2)(t), F.S. (2018).

<sup>5</sup> CH. 2019-166, § 21, L.O.F. The Legislature also adopted conforming changes that included a new public records exemption relating to eliciting specifics of the prior felony conviction along with the specific manner of voting rights restoration. *Id.* at § 22; CH. 2019-55, § 1, L.O.F.

<sup>6</sup> CH. 2019-166, § 21, L.O.F.

<sup>7</sup> See, *Jones v. DeSantis*, 2019 WL 5295192 at 17-18, N.D.Fla., Oct. 18, 2019 (appeal pending).

omitted) This apparently worked without difficulty and, *if used now, would allow a felon who asserts a right to vote to submit an application and thus begin the process that, if there is disagreement, eventually leads to a hearing.* (emphasis added)

Subsequently, the Secretary of State represented to Judge Hinkle that Florida's 67 county supervisors of elections had reverted to accepting the old voter registration felon voting declaration language,<sup>8</sup> which currently appears on a registration form on the Department of State, Division of Elections' website.<sup>9</sup>

### III. Effect of Proposed Changes:

SB 1354 reverts to the simple, pre-2019 *felon declaration of voting eligibility* language on the voter registration application, specifically:

... Whether the applicant has been convicted of a felony, and if convicted, has had his or her voting rights restored by including the statement "I affirm I have never been convicted of a felony or, if I have been, my rights relating to voting have been restored." and providing a box for the applicant to check to affirm the statement.

As such, the bill adopts the tacit *suggestion* of the federal district court and the current practice of the Division of Elections and county supervisors of elections in publishing and processing voter registration applications.

The bill also makes conforming changes, including the elimination of a public records exemption specifically created for the application form's stricken felon voting attestation requirements.

SB 1354 takes effect upon becoming a law.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

Not applicable. Bills which affect state or local elections are exempt from Article VII, section 18 of the Florida Constitution.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

---

<sup>8</sup> *Id.* at 18.

<sup>9</sup> See Current Florida Voter Registration Application, available at: <https://dos.myflorida.com/media/702368/dsde39-eng-pre-7066-with-2019-addresses.pdf> (last accessed Jan. 23, 2020).

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None identified.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 97.052, 97.053, and 97.0585.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Brandes

24-01570-20

20201354\_\_

1 A bill to be entitled  
 2 An act relating to the statewide voter registration  
 3 application; amending ss. 97.052 and 97.053, F.S.;  
 4 revising requirements for the uniform statewide voter  
 5 registration application and the acceptance of such  
 6 applications; amending s. 97.0585, F.S.; deleting an  
 7 exemption from public records requirements for  
 8 information related to a voter registration  
 9 applicant's or voter's prior felony conviction and his  
 10 or her restoration of voting rights to conform to  
 11 changes made by the act; providing an effective date.  
 12  
 13 Be It Enacted by the Legislature of the State of Florida:  
 14  
 15 Section 1. Paragraph (t) of subsection (2) of section  
 16 97.052, Florida Statutes, is amended to read:  
 17 97.052 Uniform statewide voter registration application.—  
 18 (2) The uniform statewide voter registration application  
 19 must be designed to elicit the following information from the  
 20 applicant:  
 21 (t)~~1~~ Whether the applicant has ~~never~~ been convicted of a  
 22 felony, and if convicted, has had his or her voting rights  
 23 restored by including the statement "I affirm I have never been  
 24 convicted of a felony or, if I have been, my rights relating to  
 25 voting have been restored." and providing a box for the  
 26 applicant to check to affirm the statement.  
 27 ~~2. Whether the applicant has been convicted of a felony,~~  
 28 ~~and if convicted, has had his or her civil rights restored~~  
 29 ~~through executive clemency, by including the statement "If I~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

24-01570-20

20201354\_\_

30 ~~have been convicted of a felony, I affirm my voting rights have~~  
 31 ~~been restored by the Board of Executive Clemency." and providing~~  
 32 ~~a box for the applicant to check to affirm the statement.~~  
 33 ~~3. Whether the applicant has been convicted of a felony~~  
 34 ~~and, if convicted, has had his or her voting rights restored~~  
 35 ~~pursuant s. 4, Art. VI of the State Constitution, by including~~  
 36 ~~the statement "If I have been convicted of a felony, I affirm my~~  
 37 ~~voting rights have been restored pursuant to s. 4, Art. VI of~~  
 38 ~~the State Constitution upon the completion of all terms of my~~  
 39 ~~sentence, including parole or probation." and providing a box~~  
 40 ~~for the applicant to check to affirm the statement.~~  
 41 Section 2. Paragraph (a) of subsection (5) of section  
 42 97.053, Florida Statutes, is amended to read:  
 43 97.053 Acceptance of voter registration applications.—  
 44 (5) (a) A voter registration application is complete if it  
 45 contains the following information necessary to establish the  
 46 applicant's eligibility pursuant to s. 97.041, including:  
 47 1. The applicant's name.  
 48 2. The applicant's address of legal residence, including a  
 49 distinguishing apartment, suite, lot, room, or dormitory room  
 50 number or other identifier, if appropriate. Failure to include a  
 51 distinguishing apartment, suite, lot, room, or dormitory room or  
 52 other identifier on a voter registration application does not  
 53 impact a voter's eligibility to register to vote or cast a  
 54 ballot, and such an omission may not serve as the basis for a  
 55 challenge to a voter's eligibility or reason to not count a  
 56 ballot.  
 57 3. The applicant's date of birth.  
 58 4. A mark in the checkbox affirming that the applicant is a

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59 citizen of the United States.

60 5.a. The applicant's current and valid Florida driver  
61 license number or the identification number from a Florida  
62 identification card issued under s. 322.051, or

63 b. If the applicant has not been issued a current and valid  
64 Florida driver license or a Florida identification card, the  
65 last four digits of the applicant's social security number.

66  
67 In case an applicant has not been issued a current and valid  
68 Florida driver license, Florida identification card, or social  
69 security number, the applicant shall affirm this fact in the  
70 manner prescribed in the uniform statewide voter registration  
71 application.

72 6. A mark in the ~~applicable~~ checkbox affirming that the  
73 applicant has not been convicted of a felony or that, if  
74 convicted, ~~has had his or her civil rights restored through~~  
75 ~~executive clemency, or~~ has had his or her voting rights restored  
76 ~~pursuant to s. 4, Art. VI of the State Constitution.~~

77 7. A mark in the checkbox affirming that the applicant has  
78 not been adjudicated mentally incapacitated with respect to  
79 voting or that, if so adjudicated, has had his or her right to  
80 vote restored.

81 8. The original signature or a digital signature  
82 transmitted by the Department of Highway Safety and Motor  
83 Vehicles of the applicant swearing or affirming under the  
84 penalty for false swearing pursuant to s. 104.011 that the  
85 information contained in the registration application is true  
86 and subscribing to the oath required by s. 3, Art. VI of the  
87 State Constitution and s. 97.051.

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24-01570-20

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88 Section 3. Paragraphs (d), (e), and (f) of subsection (1)  
89 of section 97.0585, Florida Statutes, are amended to read:  
90 97.0585 Public records exemption; information regarding  
91 voters and voter registration; confidentiality.—

92 (1) The following information held by an agency, as defined  
93 in s. 119.011, and obtained for the purpose of voter  
94 registration is confidential and exempt from s. 119.07(1) and s.  
95 24(a), Art. I of the State Constitution and may be used only for  
96 purposes of voter registration:

97 (d) ~~Information related to a voter registration applicant's~~  
98 ~~or voter's prior felony conviction and whether such person has~~  
99 ~~had his or her voting rights restored by the Board of Executive~~  
100 ~~Clemency or pursuant to s. 4, Art. VI of the State Constitution.~~

101 ~~(e)~~ All information concerning preregistered voter  
102 registration applicants who are 16 or 17 years of age.

103 (e)(f) Paragraph (d) ~~is~~ Paragraphs (d) and (e) are subject  
104 to the Open Government Sunset Review Act in accordance with s.  
105 119.15 and shall stand repealed on October 2, 2024, unless  
106 reviewed and saved from repeal through reenactment by the  
107 Legislature.

108 Section 4. This act shall take effect upon becoming a law.

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The Florida Senate

## Committee Agenda Request

**To:** Senator Dennis Baxley  
Committee on Ethics and Elections

**Subject:** Committee Agenda Request

**Date:** January 13, 2019

---

I respectfully request that **Senate Bill #1354**, relating to **Statewide Voter Registration Application**, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink, appearing to read "Jeff Brandes", written over a horizontal line.

Senator Jeff Brandes  
Florida Senate, District 24

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

Tab #9

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1.27.20  
Meeting Date

SB 1354  
Bill Number (if applicable)

Topic Voting Rights

Amendment Barcode (if applicable)

Name Kara Gross

Job Title Legislative Director

Address 4343 West Flagler St.

Phone 786-363-4436

Street

Miami

FL

33134

Email kgross@aclufl.org

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing American Civil Liberties Union of Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

SB 1354

Bill Number (if applicable)

Topic Statewide Voter Registration

Amendment Barcode (if applicable)

Name Trish Neely

Job Title Consultant

Address 2024 Shangri La Lane

Phone 850 322 3317

Street

Tally

FL

32303

City

State

Zip

Email

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing League of Women Voters

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-27-20

Meeting Date

1354

Bill Number (if applicable)

Topic SB 1354

Amendment Barcode (if applicable)

Name Susan Aertker (pronounced Ert-ker)

Job Title

Address 10178 Foxcroft Rd W

Phone 904-262-5124

Street

Email

City

State

Zip

Speaking: [ ] For [ ] Against [X] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

January 27, 2020

Meeting Date

1354

Bill Number (if applicable)

Topic Voter Registration form revisions

Amendment Barcode (if applicable)

Name Dan Hendrickson

Job Title president, Tallahassee Veterans Legal Collaborative

Address PO Box 1201

Street

Phone 850/570-1967

Tallahassee, FL

32302

Email danbhendrickson@comcast.net

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing TALLAHASSEE VETERANS LEGAL COLLABORATIVE

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Ethics and Elections

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BILL: CS/SB 1794

INTRODUCER: Ethics and Elections Committee and Senator Hutson

SUBJECT: Constitutional Amendments Proposed by Initiative

DATE: January 28, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Roberts	EE	Fav/CS
2.			JU	
3.			RC	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 1794 modifies the citizen initiative process for amending the State Constitution by:

- Expanding the scope of Florida Supreme Court review to include facial validity of the proposal under the U.S. Constitution.
- Narrowing the role of the Financial Impact Estimating Conference (FIEC) to estimating the proposal's financial impact on state and local governments and the state budget (removing impacts to the local governments and *economies*).
- Statutorily authorizing the Senate President and House Speaker to direct legislative staff to analyze any other impacts of the proposal.
- Increasing—from 10 percent of the number of statewide electors to 50 percent—the petition signatures that must be verified before the Secretary of State refers the proposal to the Attorney General and FIEC.
- Creating a cause of action for citizens to challenge a petition circulator's registration.
- Providing that petition signatures are valid until the next February 1 of an even-numbered year, which prevents signatures from being held over for a subsequent election.
- Requiring a supervisor of elections to charge the actual cost for verifying a petition signature in lieu of the current 10 cents/signature, and requiring the Department of State to determine the actual cost annually by rule.
- Providing that a signature obtained illegally, including by an unregistered paid petition circulator, is invalid.

- Allowing the Division of Elections or a supervisor of elections to provide a petition form in PDF format, with printing costs to be borne by the sponsor.
- Requiring the ballot to include statements indicating:
  - The name of the sponsor.
  - The percentage of in-state contributions received for the proposal.
  - Whether the sponsor used out-of-state petition circulators.
  - **Bolded** Notice, if applicable, that the FIEC: estimates an indeterminate financial impact; or, estimates a net negative impact on the state budget or cannot reach a consensus, along with indicating the *possible* negative tax and government services impacts.
- Requiring a copy of the proposed amendment in each voting booth, instead of being posted/available in the polling room.
- Requiring a political committee supporting a proposal to disclose the percentage of in-state contributions on periodic campaign finance reports.

The bill is effective upon becoming a law and, by its express terms, applies to 2020 ballot initiatives, though it *does not* “affect the validity of any petition form gathered before the effective date of this act or any contract entered into before the effective date of this act.”

## II. Present Situation:

The Florida Constitution may be amended only if the voters approve an amendment originating from the Legislature, the Constitution Revision Commission, the Taxation and Budget Reform Commission, a constitutional convention, or a citizen initiative.<sup>1</sup> A citizen initiative must embrace only one subject (unless it concerns limiting the power of government to raise revenue),<sup>2</sup> but proposals originating from the other sources are not so limited.<sup>3</sup>

### Citizen Initiative Process

The Constitution requires the sponsor of an amendment proposed by citizen initiative to obtain a specified number of signatures on a petition to place the proposal on the ballot.<sup>4</sup> The petition must contain the signatures of a number of voters equal to eight percent of the votes cast in the state in the preceding presidential election as well as eight percent of the vote cast in that election in each of at least half of the congressional districts of the state.<sup>5</sup> The number of signatures required for placement on the 2018 or 2020 ballot is 766,200, with a specified number of that total required to come from at least 14 of the state's congressional districts.<sup>6</sup>

Before gathering signatures for an amendment proposed by citizen initiative, the sponsor of the proposed amendment must register as a Florida political committee.<sup>7</sup> The sponsor must then

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<sup>1</sup> Art. XI, Fla. Const.

<sup>2</sup> Art. XI, s. 3, Fla. Const.

<sup>3</sup> Art. XI, ss. 1, 2, 4, 6, Fla. Const.

<sup>4</sup> Art. XI, s. 3, Fla. Const.

<sup>5</sup> *Id.*

<sup>6</sup> Florida Dep't of State, *2018 Initiative Petition Handbook*, <https://dos.myflorida.com/media/697659/initiative-petitionhandbook-2018-election-cycle-eng.pdf> (last visited Jan. 22, 2020) [hereinafter DOS, *Initiative Petition Handbook*].

<sup>7</sup> Sections 100.371(2) and 106.03, F.S.

gather the required number of signatures. The sponsor must present each signature to the appropriate supervisor of elections (supervisor) where the signee resides within 30 days of gathering the signature for validation.<sup>8</sup>

If the sponsor uses a paid petition circulator to gather signatures, the circulator must register with the Secretary before collecting signatures.<sup>9</sup> Failure of a paid petition circulator to register before collecting petition forms is a second-degree misdemeanor.<sup>10</sup> The paid petition circulator must provide to the Secretary:

- His or her name, permanent address, temporary address, and date of birth.
- A Florida address where the circulator will accept service of process.
- A statement that the circulator consents to the jurisdiction of Florida courts.
- Any information required by the Secretary to verify the circulator's identity or address.<sup>11</sup>

In addition, a paid petition circulator must provide an affidavit with each petition form gathered. The affidavit must include the circulator's name and permanent address and a signed statement verifying, under penalties of perjury, that the petition was signed in the circulator's presence.<sup>12</sup>

The date when the elector signs the petition is presumed to be the date of collection.<sup>13</sup> The sponsor incurs a fine of \$50 for each petition form submitted to the supervisor more than 30 days after the elector signed the petition. The sponsor incurs a fine of \$500 for each petition form not submitted to the supervisor at all. If the sponsor acted willfully, the fines are raised to \$250 and \$1,000 per petition, respectively.<sup>14</sup> The sponsor can avoid fines if it shows that failure to deliver the petitions was due to *force majeure*<sup>15</sup> or impossibility of performance.<sup>16</sup> If the Secretary believes these provisions have been violated, the Secretary may refer the matter to the Attorney General for enforcement.<sup>17</sup>

The Division of Elections (division) within the Department of State or the supervisor must provide printed petition forms to registered paid petition circulators that contain information identifying the paid petition circulator. The division must maintain a database of registered paid petition circulators and petition forms assigned to each, updating the database daily with respect to petition forms. The supervisor must provide to the division information relating to petition forms assigned to and received from paid petition circulators.<sup>18</sup>

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<sup>8</sup> Section 100.371(7), F.S.

<sup>9</sup> Section 100.371(3), F.S.

<sup>10</sup> Section 104.187, F.S. *See also* s. 104.186, F.S. (making it a first-degree misdemeanor to compensate a petition circulator based on the number of petitions gathered).

<sup>11</sup> Section 100.371(4), F.S.

<sup>12</sup> Section 100.371(5), F.S.

<sup>13</sup> Section 100.371(10), F.S.

<sup>14</sup> Section 100.371(7)(a), F.S.

<sup>15</sup> “*Force majeure*” refers to circumstances that cannot be foreseen or controlled, which prevent a person from completing a legal obligation. *See Black's Law Dictionary* 673 (8th ed. 2004).

<sup>16</sup> Section 100.371(7)(b), F.S.

<sup>17</sup> Section 100.371(8), F.S.

<sup>18</sup> Section 100.371(6), F.S.



When a sponsor delivers the collected signatures to the supervisor, the supervisor must check<sup>19</sup> each signature to ensure that the:

- Elector's original signature is recorded.
- Elector accurately recorded the date on which he or she signed the form.
- Elector is a qualified and registered Florida voter.
- Form on which the signature is recorded contains the elector's name, address, city, county, and voter registration number or date of birth.<sup>20</sup>

A petition form is invalid if any of these requirements is not met.<sup>21</sup> The supervisors submit their total numbers of valid signatures to the Secretary of State (Secretary).<sup>22</sup> Once a sponsor obtains verified signatures equal to 10 percent of the statewide requirement in at least 25 percent of Florida's congressional districts,<sup>23</sup> the Secretary sends the petition to the:

- Financial Impact Estimating Conference (FIEC)<sup>24</sup> to complete an analysis on the proposed amendment's fiscal impact within 75 days.<sup>25</sup>
- Attorney General, who in turn petitions the Florida Supreme Court for an advisory opinion as to whether the proposed amendment complies with the single-subject requirement and other basic legal requirements.<sup>26</sup>

### **Fiscal Impact Estimating Conference (FIEC)**

After it receives a proposed amendment from the Secretary, FIEC estimates the proposal's projected impacts on the costs and revenues of state and local governments, the state and local economies, and the state budget. FIEC must complete two documents: a financial impact statement and an initiative financial information statement.<sup>27</sup>

The financial impact statement is placed on the ballot to inform voters of the financial impacts the proposed amendment will have.<sup>28</sup> The supervisor must include a copy of the FIEC's financial information summaries in the publication or mailing for sample ballots.

---

<sup>19</sup> The sponsor is required to pay the supervisor the sum of 10 cents per signature checked or the actual cost of checking the signatures, whichever is less. Section 99.097(4), F.S.

<sup>20</sup> Section 100.371(11), F.S.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> Section 15.21(3), F.S. For the 2018 and 2020 elections, the number is 76,632 and must come from at least seven congressional districts. DOS, *Initiative Petition Handbook*.

<sup>24</sup> The Florida Constitution provides that the legislature must provide by general law for the provision of a statement to the public regarding the probable financial impact of any amendment proposed by initiative. Art. XI, s. 5(c), Fla. Const. The legislature created FIEC to review, analyze, and estimate the fiscal impact of constitutional amendments proposed by citizen initiative. It consists of four persons:

one person from the Executive Office of the Governor; the coordinator of the Office of Economic and Demographic Research or a designee; one professional Senate staffer; and one professional House staffer. Section 100.371(13)(c)1., F.S.

<sup>25</sup> See s. 100.371(13), F.S. (providing for the 75-day timeframe, which is tolled when the Legislature is in session).

<sup>26</sup> Section 16.061, F.S.; DOS, *Initiative Petition Handbook*; art. IV, s. 10, Fla. Const.; *Advisory Opinion to the Atty. Gen'l re Rights of Electricity Consumers Regarding Solar Energy Choice*, 188 So. 3d 822 (Fla. 2016) (outlining scope of the Supreme Court analysis when reviewing proposed constitutional amendments for ballot placement).

<sup>27</sup> Section 100.371(13), F.S.

<sup>28</sup> Section 100.371(13)(a), F.S.

In addition, if the financial impact statement estimates that the proposal will cause increased costs, decreased revenues, a negative impact on the economy, or an indeterminate fiscal impact, the ballot must include a statement indicating such effect in **bold font**.<sup>29</sup>

The lengthier initiative financial information statement is available on the websites of the Secretary and the Office of Economic and Demographic Research.<sup>30</sup> Each supervisor must include in the publication and mailing of sample ballots the internet addresses where FIEC's full information statements can be viewed and a summary of the statements.<sup>31</sup> A summary of the information statements is also available at each polling place, at the main office of the supervisor, upon request, and on the supervisor's website.<sup>32</sup>

### **Ballot Placement and Passage**

If the Secretary determines that the sponsor has collected the required number of verified signatures by February 1 of the election year,<sup>33</sup> he or she assigns an amendment number and certifies the proposed amendment's ballot position.<sup>34</sup> When the proposal is printed on the ballot, the ballot must also include:

- A ballot summary of up to 75 words summarizing the proposal's purpose.
- A ballot title including a caption of up to 15 words describing the proposal.
- The financial impact statement prepared by FIEC.<sup>35</sup>

At the general election, if at least 60 percent of the voters voting on the proposed amendment vote yes,<sup>36</sup> the proposed amendment is incorporated into the Florida Constitution.<sup>37</sup> The amendment becomes effective on the first Tuesday after the first Monday in January following the election or on a different date if specified in the amendment.<sup>38</sup>

### **III. Effect of Proposed Changes:**

CS/SB 1794 changes the deadline for gathering signatures, the Fiscal Impact Estimating Conference (FIEC) analysis process, the ballot language requirements, and the requirements for supervisors of elections.

#### **Petition Circulators and Petition Form Signatures**

The bill creates a cause of action in circuit court for citizens to challenge a petition circulator's registration, and requires the court to enjoin a respondent not in compliance from collecting signatures or initiative petitions for compensation until such person is lawfully registered.

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<sup>29</sup> Section 100.371(13)(d), F.S.

<sup>30</sup> Section 100.371(13)(e)5., F.S.

<sup>31</sup> Sections 100.371(13)(e)5. and 101.20, F.S.

<sup>32</sup> Section 100.371(13)(e), F.S.

<sup>33</sup> Art. XI, s. 5(b), Fla. Const.

<sup>34</sup> Sections 100.371(12) and 101.161, F.S.

<sup>35</sup> Section 101.161(1), F.S.

<sup>36</sup> Art. XI, s. 5(e), Fla. Const.

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

Further, the bill invalidates any illegally-obtained signature, including ones that are collected by paid petition circulators who were not validly registered at the time they collected the signature.

CS/SB 1794 also provides that a signature on a form is valid only until February 1 of the next even-numbered year instead of for two years from the date signed, thereby tying the current two-year signature validity period to the Secretary's ballot designation deadline.

### **Analysis of the Projected Impacts of Proposed Amendments**

CS/SB 1794 changes the process for the Secretary of State to refer a proposed amendment for further analysis by:

- Changing the percentage of signatures required to trigger referral from 10 percent of the number of statewide electors to 50 percent; and
- Requiring the Secretary to refer the proposed amendment to the Senate President and House Speaker in addition to the Attorney General and FIEC.

Further, the FIEC is no longer required to estimate the proposal's projected impacts on the state and local economies. The FIEC's revised role requires the statement to estimate the proposal's:

- Effect on increasing or decreasing revenues or costs to the State or local governments; and,
- Overall impact to the State budget.

Instead, CS/SB 1794 leaves to the discretion of the Senate President and House Speaker whether to direct legislative staff to conduct a broader analysis of the proposal, which may include, but is not limited to, whether the proposal:

- Has undefined terms;
- Conflicts with an existing provision of the Florida Constitution; or,
- Will cause unintended consequences or economic impacts.

The bill also requires the Attorney General, upon petitioning the Florida Supreme Court to review the legality of a proposed amendment, to ask the Court whether it is facially invalid under the United States Constitution.

### **Political Committee Disclosure and Ballot Requirements**

CS/SB 1794 requires a political committee supporting a proposed amendment to disclose, in its regular campaign finance reports, the percentage of contributions received from in-state persons,<sup>39</sup> excluding political parties, affiliated party committees, or political committees.

In addition to the ballot summary and the financial impact statement already required to appear on the ballot, the bill requires the ballot to include the following information:

- The name of the sponsor.
- The percentage of contributions received by the sponsor from in-state persons (excluding political parties, affiliated party committees, or political committees).

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<sup>39</sup> "Person" includes an individual, corporation, association, firm, partnership, joint venture, joint stock company, club, organization, estate, trust, business trust, syndicate, or other combination of individuals having collective capacity. Cf. s. 106.011(14), F.S.

- A statement indicating whether an out-of-state petition circulator was used to collect any petitions.
- A statement in bold capital indicating if the FIEC:
  - Estimates that the proposal will have a net negative impact on the state budget;
  - Cannot determine the proposal's financial impact due to ambiguities and uncertainties surrounding the amendment's impact; or,
  - Is unable to reach a consensus on the proposal's financial impact.
 With respect to the first and third statements, the statement must also provide that *the amendment may result in higher taxes or a loss of government services in order to maintain a constitutionally-mandated balanced State budget.*

The extent of this additional ballot language could result in an additional ballot page(s), adding to printing costs and possibly resulting in longer lines at some busier polling places.

### **Supervisors of Elections**

CS/SB 1794 requires a supervisor of elections to:

- Include a copy of the proposed amendment text in *each voting booth*, instead of posting it conspicuously in the polling room or early voting site on the day of the election. The Department of State is required to print and furnish each supervisor with a sufficient number of copies of the amendment in either poster or booklet form.
- Charge the actual cost for checking a petition form as opposed to the current 10 cents per signature, with the cost to be calculated by Department of State rulemaking and updated annually.

The bill also gives a supervisor of elections the option to provide petition forms to a sponsor in PDF format instead of requiring that the supervisor print the forms. This effectively shifts the printing costs for petition forms to the sponsor instead of the supervisor.

### **Severability Clause and Effective Date**

CS/SB 1794 provides that if any provision contained within the bill is held invalid, the remaining portion of the bill is severed from that provision and should be given full legal effect.

The bill is effective upon becoming a law, and its changes apply to all initiative amendments proposed for the 2020 ballot. However, nothing in the bill affects the validity of a:

- Petition form gathered before the effective date.
- Contract entered into before the effective date.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

***Initiative Petition Sponsors/Paid-Petition Gatherers***

Allowing supervisor to provide petition forms to initiative sponsors in PDF format instead of using printed forms shifts printing costs to the sponsor instead of the supervisor. The costs are indeterminate at this time, and will vary from election-to-election and by county, based on the county's size and the number of initiatives/petitions involved.

Further, requiring initiative sponsors to remit to supervisors the *actual* cost of signature verification (in lieu of the current 10 cents per signature) may result in additional costs or additional savings to sponsors, depending on how efficient each county is at performing this task and the approach of the Department of State rule determining the actual costs.

Finally, requiring political committees supporting an initiative to separate out and report the percentage of their in-state contributions may result in an indeterminate amount of administrative costs.

## C. Government Sector Impact:

***State******Recurring Costs***

The Department of State will incur indeterminate printing and delivery costs associated with furnishing supervisors constitutional amendments in poster and/or booklet form for display in each voting booth on Election Day and at early voting.

*Recurring Savings*

The bill provides an indeterminate positive impact on state government by: limiting the FIEC's role in analyzing a proposed amendment; and, delaying formal review of the proposed initiative until 50 percent of the necessary signatures are verified, as opposed to the current 10 percent.

*Local**Recurring Savings*

Allowing county supervisor of elections the option to provide petition forms to initiative sponsors in PDF format instead of requiring that the supervisor print the forms shifts the printing costs for petition forms to the sponsor instead of the supervisor. The cost savings is indeterminate at this time, and will vary from election-to-election and by county.

*Recurring Costs*

The additional ballot statements that the bill mandates with respect to citizen initiative amendments could add an extra page(s) to the ballot, resulting in greater printing costs. As this situation will vary from county-to-county, the cost is indeterminate at this time.

*Recurring Savings/Costs*

Requiring initiative petition sponsors to remit to supervisors the actual cost of signature verification (in lieu of the current 10 cents per signature) may result in additional costs or additional savings, depending on how efficient each county is at performing this task and the approach of the Department of State rule governing the actual costs.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 15.21, 16.061, 100.371, 101.161, 101.171, and 106.07.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Ethics and Elections on January 27, 2020:**

The CS adopts verbatim HB 7037, *sans* some technical changes. Substantively, the CS is very similar to the original bill with the following major differences:

- Restores current law requiring the Florida Impact Estimating Conference (FIEC) to consider impacts on *local* governments when drafting the financial impact statement, as opposed to *State-only* impacts.

- Pares back the additional Supreme Court review authority that the original SB granted, expanding current law to include *only* an additional facial *federal* constitutional review.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
01/29/2020	.	
	.	
	.	
	.	

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The Committee on Ethics and Elections (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 15.21, Florida Statutes, is amended to  
read:

15.21 Initiative petitions; s. 3, Art. XI, State  
Constitution.—The Secretary of State shall immediately submit an  
initiative petition to the Attorney General, the President of  
the Senate, and the Speaker of the House of Representatives and





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11 ~~to the Financial Impact Estimating Conference~~ if the sponsor  
12 has:

13 (1) Registered as a political committee pursuant to s.  
14 106.03;

15 (2) Submitted the ballot title, substance, and text of the  
16 proposed revision or amendment to the Secretary of State  
17 pursuant to ss. 100.371 and 101.161; and

18 (3) Obtained a letter from the Division of Elections  
19 confirming that the sponsor has submitted to the appropriate  
20 supervisors for verification, and the supervisors have verified,  
21 forms signed and dated equal to 50 ~~40~~ percent of the number of  
22 electors statewide and in at least one-fourth of the  
23 congressional districts required by s. 3, Art. XI of the State  
24 Constitution.

25 Section 2. Subsection (1) of section 16.061, Florida  
26 Statutes, is amended to read:

27 16.061 Initiative petitions.—

28 (1) The Attorney General shall, within 30 days after  
29 receipt of a proposed revision or amendment to the State  
30 Constitution by initiative petition from the Secretary of State,  
31 petition the Supreme Court, requesting an advisory opinion  
32 regarding the compliance of the text of the proposed amendment  
33 or revision with s. 3, Art. XI of the State Constitution,  
34 whether the proposed amendment is facially invalid under the  
35 United States Constitution, and the compliance of the proposed  
36 ballot title and substance with s. 101.161. The petition may  
37 enumerate any specific factual issues that the Attorney General  
38 believes would require a judicial determination.

39 Section 3. Subsections (3), (6), (11), and (13) of section



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40 100.371, Florida Statutes, are amended to read:

41 100.371 Initiatives; procedure for placement on ballot.—

42 (3) (a) A person may not collect signatures or initiative  
43 petitions for compensation unless the person is registered as a  
44 petition circulator with the Secretary of State.

45 (b) A citizen may challenge a petition circulator's  
46 registration under this section by filing a petition in circuit  
47 court. If the court finds that the respondent is not a  
48 registered petition circulator, the court may enjoin the  
49 respondent from collecting signatures or initiative petitions  
50 for compensation until she or he is lawfully registered.

51 (6) The division or the supervisor of elections shall make  
52 hard copy petition forms or electronic portable document format  
53 petition forms available to registered petition circulators. All  
54 such forms must contain information identifying the petition  
55 circulator to which the forms are provided. The division shall  
56 maintain a database of all registered petition circulators and  
57 the petition forms assigned to each. Each supervisor of  
58 elections shall provide to the division information on petition  
59 forms assigned to and received from petition circulators. The  
60 information must be provided in a format and at times as  
61 required by the division by rule. The division must update  
62 information on petition forms daily and make the information  
63 publicly available.

64 (11) An initiative petition form circulated for signature  
65 may not be bundled with or attached to any other petition. Each  
66 signature shall be dated when made and shall be valid until the  
67 next February 1 occurring in an even-numbered year for the  
68 purpose of appearing on the ballot for the general election



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69 occurring in that same year for a period of 2 years following  
70 such date, provided all other requirements of law are met. The  
71 sponsor shall submit signed and dated forms to the supervisor of  
72 elections for the county of residence listed by the person  
73 signing the form for verification of the number of valid  
74 signatures obtained. If a signature on a petition is from a  
75 registered voter in another county, the supervisor shall notify  
76 the petition sponsor of the misfiled petition. The supervisor  
77 shall promptly verify the signatures within 30 days after  
78 receipt of the petition forms and payment of a the fee for the  
79 actual cost of signature verification incurred by the supervisor  
80 required by s. 99.097. The Department of State shall adopt rules  
81 to set the cost to verify a petition under this subsection and  
82 update the cost annually. The supervisor shall promptly record,  
83 in the manner prescribed by the Secretary of State, the date  
84 each form is received by the supervisor, and the date the  
85 signature on the form is verified as valid. The supervisor may  
86 verify that the signature on a form is valid only if:

87 (a) The form contains the original signature of the  
88 purported elector.

89 (b) The purported elector has accurately recorded on the  
90 form the date on which he or she signed the form.

91 (c) The form sets forth the purported elector's name,  
92 address, city, county, and voter registration number or date of  
93 birth.

94 (d) The purported elector is, at the time he or she signs  
95 the form and at the time the form is verified, a duly qualified  
96 and registered elector in the state.

97 (e) The signature was obtained legally, including that if a



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98 paid petition circulator was used, the circulator was validly  
99 registered under subsection (3) when the signature was obtained.

100

101 The supervisor shall retain the signature forms for at least 1  
102 year following the election in which the issue appeared on the  
103 ballot or until the Division of Elections notifies the  
104 supervisors of elections that the committee that circulated the  
105 petition is no longer seeking to obtain ballot position.

106 (13) (a) At the same time the Secretary of State submits an  
107 initiative petition to the Attorney General, the President of  
108 the Senate, and the Speaker of the House of Representatives  
109 pursuant to s. 15.21, the secretary shall submit a copy of the  
110 initiative petition to the Financial Impact Estimating  
111 Conference. Within 75 days after receipt of a proposed revision  
112 or amendment to the State Constitution by initiative petition  
113 from the Secretary of State, the Financial Impact Estimating  
114 Conference shall complete an analysis and financial impact  
115 statement to be placed on the ballot of the estimated increase  
116 or decrease in any revenues or costs to state or local  
117 governments, ~~estimated economic impact on the state and local~~  
118 ~~economy,~~ and the overall impact to the state budget resulting  
119 from the proposed initiative. The 75-day time limit is tolled  
120 when the Legislature is in session. The Financial Impact  
121 Estimating Conference shall submit the financial impact  
122 statement to the Attorney General and Secretary of State.

123 (b) Immediately upon receipt of a proposed revision or  
124 amendment from the Secretary of State, the coordinator of the  
125 Office of Economic and Demographic Research shall contact the  
126 person identified as the sponsor to request an official list of



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127 all persons authorized to speak on behalf of the named sponsor  
128 and, if there is one, the sponsoring organization at meetings  
129 held by the Financial Impact Estimating Conference. All other  
130 persons shall be deemed interested parties or proponents or  
131 opponents of the initiative. The Financial Impact Estimating  
132 Conference shall provide an opportunity for any representatives  
133 of the sponsor, interested parties, proponents, or opponents of  
134 the initiative to submit information and may solicit information  
135 or analysis from any other entities or agencies, including the  
136 Office of Economic and Demographic Research.

137 (c) All meetings of the Financial Impact Estimating  
138 Conference shall be open to the public. The President of the  
139 Senate and the Speaker of the House of Representatives, jointly,  
140 shall be the sole judge for the interpretation, implementation,  
141 and enforcement of this subsection.

142 1. The Financial Impact Estimating Conference is  
143 established to review, analyze, and estimate the financial  
144 impact of amendments to or revisions of the State Constitution  
145 proposed by initiative. The Financial Impact Estimating  
146 Conference shall consist of four principals: one person from the  
147 Executive Office of the Governor; the coordinator of the Office  
148 of Economic and Demographic Research, or his or her designee;  
149 one person from the professional staff of the Senate; and one  
150 person from the professional staff of the House of  
151 Representatives. Each principal shall have appropriate fiscal  
152 expertise in the subject matter of the initiative. A Financial  
153 Impact Estimating Conference may be appointed for each  
154 initiative.

155 2. Principals of the Financial Impact Estimating Conference



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156 shall reach a consensus or majority concurrence on a clear and  
157 unambiguous financial impact statement, no more than 150 words  
158 in length, and immediately submit the statement to the Attorney  
159 General. Nothing in this subsection prohibits the Financial  
160 Impact Estimating Conference from setting forth a range of  
161 potential impacts in the financial impact statement. Any  
162 financial impact statement that a court finds not to be in  
163 accordance with this section shall be remanded solely to the  
164 Financial Impact Estimating Conference for redrafting. The  
165 Financial Impact Estimating Conference shall redraft the  
166 financial impact statement within 15 days.

167 ~~3. If the members of the Financial Impact Estimating~~  
168 ~~Conference are unable to agree on the statement required by this~~  
169 ~~subsection, or if the Supreme Court has rejected the initial~~  
170 ~~submission by the Financial Impact Estimating Conference and no~~  
171 ~~redraft has been approved by the Supreme Court by 5 p.m. on the~~  
172 ~~75th day before the election, the following statement shall~~  
173 ~~appear on the ballot pursuant to s. 101.161(1): "The financial~~  
174 ~~impact of this measure, if any, has not been cannot be~~  
175 ~~reasonably~~ determined at this time."

176 (d) The financial impact statement must be separately  
177 contained and be set forth after the ballot summary as required  
178 in s. 101.161(1).

179 1. If the financial impact statement projects a net  
180 ~~estimates increased costs, decreased revenues, a negative impact~~  
181 ~~on the state budget or local economy, or an indeterminate impact~~  
182 ~~for any of these areas, the ballot must include the a statement~~  
183 ~~required by s. 101.161(1) (d) indicating such estimated effect in~~  
184 ~~bold font.~~



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185           2. If the financial impact statement estimates an  
186 indeterminate financial impact, the ballot must include the  
187 statement required by s. 101.161(1)(e).

188           3. If the members of the Financial Impact Estimating  
189 Conference are unable to agree on the statement required by this  
190 subsection, the ballot must include the statement required by s.  
191 101.161(1)(f).

192           (e)1. Any financial impact statement that the Supreme Court  
193 finds not to be in accordance with this subsection shall be  
194 remanded solely to the Financial Impact Estimating Conference  
195 for redrafting, provided the court's advisory opinion is  
196 rendered at least 75 days before the election at which the  
197 question of ratifying the amendment will be presented. The  
198 Financial Impact Estimating Conference shall prepare and adopt a  
199 revised financial impact statement no later than 5 p.m. on the  
200 15th day after the date of the court's opinion.

201           2. If, by 5 p.m. on the 75th day before the election, the  
202 Supreme Court has not issued an advisory opinion on the initial  
203 financial impact statement prepared by the Financial Impact  
204 Estimating Conference for an initiative amendment that otherwise  
205 meets the legal requirements for ballot placement, the financial  
206 impact statement shall be deemed approved for placement on the  
207 ballot.

208           3. In addition to the financial impact statement required  
209 by this subsection, the Financial Impact Estimating Conference  
210 shall draft an initiative financial information statement. The  
211 initiative financial information statement should describe in  
212 greater detail than the financial impact statement any projected  
213 increase or decrease in revenues or costs that the state or



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214 local governments would likely experience ~~and the estimated~~  
215 ~~economic impact on the state and local economy~~ if the ballot  
216 measure were approved. If appropriate, the initiative financial  
217 information statement may include both estimated dollar amounts  
218 and a description placing the estimated dollar amounts into  
219 context. The initiative financial information statement must  
220 include both a summary of not more than 500 words and additional  
221 detailed information that includes the assumptions that were  
222 made to develop the financial impacts, workpapers, and any other  
223 information deemed relevant by the Financial Impact Estimating  
224 Conference.

225 4. The Department of State shall have printed, and shall  
226 furnish to each supervisor of elections, a copy of the summary  
227 from the initiative financial information statements. The  
228 supervisors shall have the summary from the initiative financial  
229 information statements available at each polling place and at  
230 the main office of the supervisor of elections upon request.

231 5. The Secretary of State and the Office of Economic and  
232 Demographic Research shall make available on the Internet each  
233 initiative financial information statement in its entirety. In  
234 addition, each supervisor of elections whose office has a  
235 website shall post the summary from each initiative financial  
236 information statement on the website. Each supervisor shall  
237 include a copy of each summary from the initiative financial  
238 information statements and the Internet addresses for the  
239 information statements on the Secretary of State's and the  
240 Office of Economic and Demographic Research's websites in the  
241 publication or mailing required by s. 101.20.

242 (f) When the Secretary of State submits a proposed





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243 initiative petition to the President of the Senate and the  
244 Speaker of the House of Representatives pursuant to s. 15.21,  
245 the President of the Senate and the Speaker of the House of  
246 Representatives may direct legislative staff to prepare an  
247 analysis of the petition. Such analysis may include, but is not  
248 limited to, whether the amendment has undefined terms, conflicts  
249 with an existing provision of the State Constitution, or will  
250 cause unintended consequences or economic impacts.

251 Section 4. Subsection (1) of section 101.161, Florida  
252 Statutes, is amended to read:

253 101.161 Referenda; ballots.—

254 (1) Whenever a constitutional amendment or other public  
255 measure is submitted to the vote of the people, a ballot summary  
256 of such amendment or other public measure shall be printed in  
257 clear and unambiguous language on the ballot after the list of  
258 candidates, followed by the word "yes" and also by the word  
259 "no," and shall be styled in such a manner that a "yes" vote  
260 will indicate approval of the proposal and a "no" vote will  
261 indicate rejection. The ballot summary of the amendment or other  
262 public measure and the ballot title to appear on the ballot  
263 shall be embodied in the constitutional revision commission  
264 proposal, constitutional convention proposal, taxation and  
265 budget reform commission proposal, or enabling resolution or  
266 ordinance. The ballot summary of the amendment or other public  
267 measure shall be an explanatory statement, not exceeding 75  
268 words in length, of the chief purpose of the measure. In  
269 addition, for every constitutional amendment proposed by  
270 initiative, the ballot shall include, following the ballot  
271 summary, in the following order:



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272 (a) The name of the initiative's sponsor and the percentage  
273 of total contributions obtained by the sponsor from in-state  
274 persons. For purposes of this subparagraph, "person" has the  
275 same meaning as provided in s. 106.011(14), except that the term  
276 does not include a political party, an affiliated party  
277 committee, or a political committee.

278 (b) Whether out-of-state petition circulators were used to  
279 obtain signatures for ballot placement.

280 (c) A separate financial impact statement concerning the  
281 measure prepared by the Financial Impact Estimating Conference  
282 in accordance with s. 100.371(13) ~~s. 100.371(5).~~

283 (d) If the financial impact statement projects a net  
284 negative impact on the state budget, the following statement in  
285 bold print:

286  
287 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO  
288 HAVE A NET NEGATIVE IMPACT ON THE STATE BUDGET. THIS  
289 IMPACT MAY RESULT IN HIGHER TAXES OR A LOSS OF  
290 GOVERNMENT SERVICES IN ORDER TO MAINTAIN A BALANCED  
291 STATE BUDGET AS REQUIRED BY THE CONSTITUTION.

292  
293 (e) If the financial impact statement is indeterminate, the  
294 following statement in bold print:

295  
296 THE FINANCIAL IMPACT OF THIS AMENDMENT CANNOT BE  
297 DETERMINED DUE TO AMBIGUITIES AND UNCERTAINTIES  
298 SURROUNDING THE AMENDMENT'S IMPACT.

299  
300 (f) If the members of the Financial Impact Estimating



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301 Conference are unable to agree on the financial impact  
302 statement, the following statement in bold print:

303  
304 THE FINANCIAL IMPACT ESTIMATING CONFERENCE WAS UNABLE  
305 TO AGREE ON THE FINANCIAL IMPACT OF THIS PROPOSED  
306 CONSTITUTIONAL AMENDMENT. THIS AMENDMENT MAY RESULT IN  
307 HIGHER TAXES OR A LOSS OF GOVERNMENT SERVICES IN ORDER  
308 TO MAINTAIN A BALANCED STATE BUDGET AS REQUIRED BY THE  
309 CONSTITUTION.

310  
311 The ballot title shall consist of a caption, not exceeding 15  
312 words in length, by which the measure is commonly referred to or  
313 spoken of. This subsection does not apply to constitutional  
314 amendments or revisions proposed by joint resolution.

315 Section 5. Section 101.171, Florida Statutes, is amended to  
316 read:

317 101.171 Copy of constitutional amendment to be available at  
318 voting locations.—Whenever any amendment to the State  
319 Constitution is to be voted upon at any election, the Department  
320 of State shall have printed and shall furnish to each supervisor  
321 of elections a sufficient number of copies of the amendment  
322 either in poster or booklet form, and the supervisor shall  
323 provide ~~have a copy in thereof conspicuously posted or available~~  
324 ~~at each voting booth polling room or early voting area upon the~~  
325 ~~day of election.~~

326 Section 6. Paragraph (a) of subsection (4) of section  
327 106.07, Florida Statutes, is amended to read:

328 106.07 Reports; certification and filing.—

329 (4) (a) Except for daily reports, to which only the



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330 contributions provisions below apply, and except as provided in  
331 paragraph (b), each report required by this section must  
332 contain:

333         1. The full name, address, and occupation, if any, of each  
334 person who has made one or more contributions to or for such  
335 committee or candidate within the reporting period, together  
336 with the amount and date of such contributions. For  
337 corporations, the report must provide as clear a description as  
338 practicable of the principal type of business conducted by the  
339 corporation. However, if the contribution is \$100 or less or is  
340 from a relative, as defined in s. 112.312, provided that the  
341 relationship is reported, the occupation of the contributor or  
342 the principal type of business need not be listed.

343         2. The name and address of each political committee from  
344 which the reporting committee or the candidate received, or to  
345 which the reporting committee or candidate made, any transfer of  
346 funds, together with the amounts and dates of all transfers.

347         3. Each loan for campaign purposes to or from any person or  
348 political committee within the reporting period, together with  
349 the full names, addresses, and occupations, and principal places  
350 of business, if any, of the lender and endorsers, if any, and  
351 the date and amount of such loans.

352         4. A statement of each contribution, rebate, refund, or  
353 other receipt not otherwise listed under subparagraphs 1.  
354 through 3.

355         5. The total sums of all loans, in-kind contributions, and  
356 other receipts by or for such committee or candidate during the  
357 reporting period. The reporting forms shall be designed to  
358 elicit separate totals for in-kind contributions, loans, and



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359 other receipts.

360         6. The full name and address of each person to whom  
361 expenditures have been made by or on behalf of the committee or  
362 candidate within the reporting period; the amount, date, and  
363 purpose of each such expenditure; and the name and address of,  
364 and office sought by, each candidate on whose behalf such  
365 expenditure was made. However, expenditures made from the petty  
366 cash fund provided by s. 106.12 need not be reported  
367 individually.

368         7. The full name and address of each person to whom an  
369 expenditure for personal services, salary, or reimbursement for  
370 authorized expenses as provided in s. 106.021(3) has been made  
371 and which is not otherwise reported, including the amount, date,  
372 and purpose of such expenditure. However, expenditures made from  
373 the petty cash fund provided for in s. 106.12 need not be  
374 reported individually. Receipts for reimbursement for authorized  
375 expenditures shall be retained by the treasurer along with the  
376 records for the campaign account.

377         8. The total amount withdrawn and the total amount spent  
378 for petty cash purposes pursuant to this chapter during the  
379 reporting period.

380         9. The total sum of expenditures made by such committee or  
381 candidate during the reporting period.

382         10. The amount and nature of debts and obligations owed by  
383 or to the committee or candidate, which relate to the conduct of  
384 any political campaign.

385         11. Transaction information for each credit card purchase.  
386 Receipts for each credit card purchase shall be retained by the  
387 treasurer with the records for the campaign account.



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388           12. The amount and nature of any separate interest-bearing  
389 accounts or certificates of deposit and identification of the  
390 financial institution in which such accounts or certificates of  
391 deposit are located.

392           13. The primary purposes of an expenditure made indirectly  
393 through a campaign treasurer pursuant to s. 106.021(3) for goods  
394 and services such as communications media placement or  
395 procurement services, campaign signs, insurance, and other  
396 expenditures that include multiple components as part of the  
397 expenditure. The primary purpose of an expenditure shall be that  
398 purpose, including integral and directly related components,  
399 that comprises 80 percent of such expenditure.

400           14. If filed by a political committee supporting an  
401 initiative, the percentage of total contributions obtained  
402 during the reporting period from in-state persons. For purposes  
403 of this subparagraph, the term "person" has the same meaning as  
404 provided in s. 106.011, except that the term does not include a  
405 political party as provided in s. 103.091, an affiliated party  
406 committee as provided in s. 103.092, or a political committee as  
407 defined in s. 106.011.

408           Section 7. The provisions of this act apply to all  
409 revisions or amendments to the State Constitution by initiative  
410 that are proposed for the 2020 election ballot and each ballot  
411 thereafter; provided, however, that nothing in this act affects  
412 the validity of any petition form gathered before the effective  
413 date of this act or any contract entered into before the  
414 effective date of this act.

415           Section 8. If any provision of this act or its application  
416 to any person or circumstance is held invalid for any reason,



509936

417 the remaining portion of this act, to the fullest extent  
418 possible, shall be severed from the void portion and given the  
419 fullest possible force and application.

420 Section 9. This act shall take effect upon becoming a law.

421

422 ===== T I T L E A M E N D M E N T =====

423 And the title is amended as follows:

424 Delete everything before the enacting clause

425 and insert:

426

A bill to be entitled

427

An act relating to constitutional amendments proposed  
428 by initiative; amending s. 15.21, F.S.; requiring the  
429 Secretary of State to submit an initiative petition to  
430 the Legislature when a certain amount of signatures  
431 are obtained; amending s. 16.061, F.S.; requiring the  
432 Attorney General to request the Supreme Court to  
433 address in an advisory opinion the specific validity  
434 of the proposed amendment under the United States  
435 Constitution; amending s. 100.371, F.S.; providing  
436 that a citizen may challenge a petition circulator's  
437 failure to register with the Secretary of State;  
438 authorizing the Division of Elections or a supervisor  
439 of elections to provide petition forms in a certain  
440 electronic format; revising the length of time that a  
441 signature on a petition form is valid; requiring a  
442 supervisor to charge the actual cost of verifying  
443 petition forms; requiring the Department of State to  
444 adopt certain rules; revising the circumstances under  
445 which a petition form is deemed valid; requiring the



509936

446 Secretary of State to submit a copy of an initiative  
447 petition to the Financial Impact Estimating  
448 Conference; requiring the Financial Impact Estimating  
449 Conference to analyze the financial impact to the  
450 state of a proposed initiative; requiring certain  
451 ballot language based on the findings of the Financial  
452 Impact Estimating Conference; authorizing the use of  
453 legislative staff to analyze the effects of a citizen  
454 initiative under certain circumstances; amending s.  
455 101.161, F.S.; requiring that ballots containing  
456 constitutional amendments proposed by initiative  
457 include certain disclosures and statements; defining  
458 the term "person"; amending s. 101.171, F.S.;  
459 requiring that a copy of the amendment text be made  
460 available in each voting booth; amending s. 106.07,  
461 F.S.; requiring a political committee sponsoring an  
462 initiative to disclose certain information in campaign  
463 finance reports; defining the term "person"; providing  
464 applicability; providing for severability; providing  
465 an effective date.





907974

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Before line 49

insert:

Section 1. Paragraph (a) of subsection (1) of section 101.111, Florida Statutes, is amended to read:

101.111 Voter challenges.—

(1) (a) Any registered elector or poll watcher of a county may challenge the right of a person to vote in that county. The challenge must be in writing and contain the following oath,



907974

11 which shall be delivered to the clerk or inspector:

12

13 OATH OF PERSON ENTERING CHALLENGE

14

15 State of Florida

16 County of ....

17

18 I do solemnly swear or affirm that my name is ....; that I am a  
19 member of the .... Party; that I am a registered voter or  
20 pollwatcher; that my residence address is ....., in the  
21 municipality of ....; and that I have reason to believe that  
22 .... is attempting to vote illegally and the reasons for my  
23 belief are set forth herein. I further understand that if I file  
24 a frivolous challenge of any person's right to vote, I may be  
25 convicted of a misdemeanor of the first degree, fined up to  
26 \$1,000, and imprisoned for up to 1 year. ~~to wit:~~

27

28

29 ... (Signature of person challenging voter)...

30

31 Sworn and subscribed to before me this .... day of .....,

32 ... (year)....

33

... (Clerk of election)...

34

35

36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:

38 Delete lines 2 - 3

39 and insert:



907974

40 An act relating to elections; amending s. 101.111,  
41 F.S.; revising the oath required of a person who  
42 enters a voter challenge to include an affirmation of  
43 the applicable penalty for filing a frivolous  
44 challenge; amending s. 15.21, F.S.; requiring the



866994

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Before line 49

insert:

Section 1. Paragraphs (a) and (c) of subsection (4) of section 102.031, Florida Statutes, are amended to read:

102.031 Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters.—

(4) (a) No person, political committee, or other group or



866994

11 organization may solicit voters inside the polling place or  
12 within 100 ~~150~~ feet of the entrance to any polling place, a  
13 polling room where the polling place is also a polling room, an  
14 early voting site, or an office of the supervisor where vote-by-  
15 mail ballots are requested and printed on demand for the  
16 convenience of electors who appear in person to request them.  
17 Before the opening of the polling place or early voting site,  
18 the clerk or supervisor shall designate the no-solicitation zone  
19 and mark the boundaries.

20 (c) Each supervisor of elections shall inform the clerk of  
21 the area within which soliciting is unlawful, based on the  
22 particular characteristics of that polling place. The supervisor  
23 or the clerk may take any reasonable action necessary to ensure  
24 order at the polling places, including, but not limited to,  
25 having disruptive and unruly persons removed by law enforcement  
26 officers from the polling room or place or from the 100-foot  
27 ~~150-foot~~ zone surrounding the polling place.

28  
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete lines 2 - 3

32 and insert:

33 An act relating to elections; amending s. 102.031,  
34 F.S.; reducing the no-solicitation zone surrounding  
35 the entrance to any polling place; amending s. 15.21,  
36 F.S.; requiring the



934186

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with directory and title amendments)**

Delete lines 71 - 79.

===== **D I R E C T O R Y C L A U S E A M E N D M E N T**=====

And the directory clause is amended as follows:

Delete line 68

and insert:

Section 2. Subsections (6), (11), and (13) of section

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5  
6  
7  
8  
9  
10



934186

11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13       Delete lines 8 - 11

14 and insert:

15       amending s. 100.371, F.S.; providing that



849270

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 92 and 93

insert:

(9) The division shall adopt by rule a complaint form for an elector who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules ~~to ensure the integrity of the petition form gathering process, including rules~~ requiring sponsors to account for all petition forms used by their agents.





849270

11 Such rules may require a sponsor or petition circulator to  
12 provide identification information on each petition form as  
13 determined by the department as needed to assist in the  
14 accounting of petition forms.

15

16 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

17 And the directory clause is amended as follows:

18 Delete line 68

19 and insert:

20 Section 2. Subsections (3), (6), (9), (11), and (13) of  
21 section

22

23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Between lines 13 and 14

26 insert:

27 revising the division's rulemaking authority regarding  
28 the petition form gathering process;



726104

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 92 and 93

insert:

(7) (a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a notary ~~fiduciary~~ to the elector signing the petition form, ensuring that any petition form entrusted to the petition circulator shall be promptly delivered to the supervisor of elections within 30 days after the elector signs the form. If a petition



726104

11 form collected by any petition circulator is not promptly  
12 delivered to the supervisor of elections, the sponsor is liable  
13 for the following fines:

14 1. A fine in the amount of \$50 for each petition form  
15 received by the supervisor of elections more than 30 days after  
16 the elector signed the petition form or the next business day,  
17 if the office is closed. A fine in the amount of \$250 for each  
18 petition form received if the sponsor or petition circulator  
19 acted willfully.

20 2. A fine in the amount of \$500 for each petition form  
21 collected by a petition circulator which is not submitted to the  
22 supervisor of elections. A fine in the amount of \$1,000 for any  
23 petition form not submitted if the sponsor or petition  
24 circulator acted willfully.

25  
26 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

27 And the directory clause is amended as follows:

28 Delete line 68

29 and insert:

30 Section 2. Subsections (3) and (6), paragraph (a) of  
31 subsection (7), and subsections (11) and (13) of section

32  
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Between lines 13 and 14

36 insert:

37 specifying that an initiative sponsor serves as a  
38 notary to an elector signing a petition form;



164346

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 95 - 99  
and insert:  
signature shall be dated when made and shall be valid for a  
period of 2 years following such date, provided all other  
requirements of law are met. The

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:



164346

11

Delete line 14.



619082

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 107 - 111

and insert:

receipt of the petition forms and payment of the fee required by s. 99.097. The supervisor

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 15 - 18



619082

11 and insert:  
12        modifying conditions under which the



915340

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 366 and 367

insert:

Section 5. Section 104.186, Florida Statutes, is repealed.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 40

and insert:

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915340

11 initiative text in each voting booth; repealing s.  
12 104.186, F.S., relating to violations regarding the  
13 compensation of petition circulators; amending s.



786322

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 455 and 456  
insert:

Section 7. To account for the Department of State's implementation problems that caused delays in registering petition circulators as required in s. 100.371, Florida Statutes, the deadline for supervisors of elections to validate and verify signed initiative forms for constitutional amendments proposed by initiative for the 2020 general election ballot is



786322

11 extended through 30 days after the effective date of this act.  
12 Notwithstanding the timeframe prescribed in s. 100.371(1),  
13 Florida Statutes, the Secretary of State shall accept any  
14 petitions verified pursuant to this section for filing so long  
15 as the secretary determines that valid and verified petition  
16 forms have been signed by the constitutionally required number  
17 and distribution of electors required under the Florida Election  
18 Code. This section shall operate retroactively.

19  
20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22       Delete line 44

23 and insert:

24       providing applicability; revising deadlines for  
25       signature verification on petition forms for the 2020  
26       general election; providing for retroactive  
27       application; providing for severability;



656280

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Powell) recommended the following:

**Senate Amendment**

Delete lines 127 - 129

and insert:

(e) The signature was obtained legally.



942064

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Powell) recommended the following:

- 1       **Senate Amendment to Amendment (509936)**
- 2
- 3       Delete lines 97 - 99
- 4       and insert:
- 5       (e) The signature was obtained legally.



703098

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

1           **Senate Amendment to Amendment (509936) (with title**  
2 **amendment)**

3  
4           Before line 5  
5 insert:

6           Section 1. Paragraph (a) of subsection (1) of section  
7 101.111, Florida Statutes, is amended to read:

8           101.111 Voter challenges.—

9           (1)(a) Any registered elector or poll watcher of a county  
10 may challenge the right of a person to vote in that county. The



703098

11 challenge must be in writing and contain the following oath,  
12 which shall be delivered to the clerk or inspector:

13

14 OATH OF PERSON ENTERING CHALLENGE

15

16 State of Florida

17 County of ....

18

19 I do solemnly swear or affirm that my name is ....; that I am a  
20 member of the .... Party; that I am a registered voter or  
21 pollwatcher; that my residence address is ....., in the  
22 municipality of ....; and that I have reason to believe that  
23 .... is attempting to vote illegally and the reasons for my  
24 belief are set forth herein. I further understand that if I file  
25 a frivolous challenge of any person's right to vote, I may be  
26 convicted of a misdemeanor of the first degree, fined up to  
27 \$1,000, and imprisoned for up to 1 year. ~~to wit:~~

28

29

30 ... (Signature of person challenging voter) ...

31

32 Sworn and subscribed to before me this .... day of .....,  
33 ... (year) ....

34

... (Clerk of election) ...

35

36

37 ===== T I T L E A M E N D M E N T =====

38 And the title is amended as follows:

39 Delete lines 427 - 428



703098

40 and insert:

41 An act relating to elections; amending s. 101.111,  
42 F.S.; revising the oath required of a person who  
43 enters a voter challenge to include an affirmation of  
44 the applicable penalty for filing a frivolous  
45 challenge; amending s. 15.21, F.S.; requiring the





148228

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

1           **Senate Amendment to Amendment (509936) (with title**  
2 **amendment)**

3  
4           Before line 5  
5 insert:

6           Section 1. Subsection (4) of section 102.031, Florida  
7 Statutes, is amended to read:

8           102.031 Maintenance of good order at polls; authorities;  
9 persons allowed in polling rooms and early voting areas;  
10 unlawful solicitation of voters.-



148228

11           (4) (a) No person, political committee, or other group or  
12 organization may solicit voters inside the polling place or  
13 within 100 ~~150~~ feet of the entrance to any polling place, a  
14 polling room where the polling place is also a polling room, an  
15 early voting site, or an office of the supervisor where vote-by-  
16 mail ballots are requested and printed on demand for the  
17 convenience of electors who appear in person to request them.  
18 Before the opening of the polling place or early voting site,  
19 the clerk or supervisor shall designate the no-solicitation zone  
20 and mark the boundaries.

21           (b) For the purpose of this subsection, the terms "solicit"  
22 or "solicitation" shall include, but not be limited to, seeking  
23 or attempting to seek any vote, fact, opinion, or contribution;  
24 distributing or attempting to distribute any political or  
25 campaign material, leaflet, or handout; conducting a poll except  
26 as specified in this paragraph; seeking or attempting to seek a  
27 signature on any petition; and selling or attempting to sell any  
28 item. The terms "solicit" or "solicitation" may not be construed  
29 to prohibit exit polling.

30           (c) Each supervisor of elections shall inform the clerk of  
31 the area within which soliciting is unlawful, based on the  
32 particular characteristics of that polling place. The supervisor  
33 or the clerk may take any reasonable action necessary to ensure  
34 order at the polling places, including, but not limited to,  
35 having disruptive and unruly persons removed by law enforcement  
36 officers from the polling room or place or from the 100-foot  
37 ~~150-foot~~ zone surrounding the polling place.

38           (d) Except as provided in paragraph (a), the supervisor may  
39 not designate a no-solicitation zone or otherwise restrict



148228

40 access to any person, political committee, candidate, or other  
41 group or organization for the purposes of soliciting voters.  
42 ~~This paragraph applies to any public or private property used as~~  
43 ~~a polling place or early voting site.~~

44 ~~(c) The owner, operator, or lessee of the property on which~~  
45 ~~a polling place or an early voting site is located, or an agent~~  
46 ~~or employee thereof, may not prohibit the solicitation of voters~~  
47 ~~outside of the no-solicitation zone during polling hours.~~

48  
49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete lines 427 - 428

52 and insert:

53 An act relating to elections; amending s. 102.031,  
54 F.S.; reducing the size of the no-solicitation zone  
55 surrounding the entrance to any polling place;  
56 deleting provisions restricting the establishment of  
57 additional no-solicitation zones outside of the 100-  
58 foot zone; amending s. 15.21, F.S.; requiring the



656836

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

1           **Senate Amendment to Amendment (509936) (with title**  
2 **amendment)**

3  
4           Before line 5  
5 insert:

6           Section 1. Paragraphs (a) and (c) of subsection (4) of  
7 section 102.031, Florida Statutes, are amended to read:

8           102.031 Maintenance of good order at polls; authorities;  
9 persons allowed in polling rooms and early voting areas;  
10 unlawful solicitation of voters.-



656836

11           (4) (a) No person, political committee, or other group or  
12 organization may solicit voters inside the polling place or  
13 within 100 ~~150~~ feet of the entrance to any polling place, a  
14 polling room where the polling place is also a polling room, an  
15 early voting site, or an office of the supervisor where vote-by-  
16 mail ballots are requested and printed on demand for the  
17 convenience of electors who appear in person to request them.  
18 Before the opening of the polling place or early voting site,  
19 the clerk or supervisor shall designate the no-solicitation zone  
20 and mark the boundaries.

21           (c) Each supervisor of elections shall inform the clerk of  
22 the area within which soliciting is unlawful, based on the  
23 particular characteristics of that polling place. The supervisor  
24 or the clerk may take any reasonable action necessary to ensure  
25 order at the polling places, including, but not limited to,  
26 having disruptive and unruly persons removed by law enforcement  
27 officers from the polling room or place or from the 100-foot  
28 ~~150-foot~~ zone surrounding the polling place.

29  
30 ===== T I T L E   A M E N D M E N T =====

31 And the title is amended as follows:

32           Delete lines 427 - 428

33 and insert:

34           An act relating to elections; amending s. 102.031,  
35 F.S.; reducing the no-solicitation zone surrounding  
36 the entrance to any polling place; amending s. 15.21,  
37 F.S.; requiring the



234346

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

1           **Senate Amendment to Amendment (509936) (with directory and**  
2 **title amendments)**

3  
4           Delete lines 42 - 50.

5  
6 ===== D I R E C T O R Y   C L A U S E   A M E N D M E N T =====

7 And the directory clause is amended as follows:

8           Delete line 39

9 and insert:

10           Section 3. Subsections (6), (11), and (13) of section



234346

11  
12  
13  
14  
15  
16

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 435 - 437

and insert:

Constitution; amending s. 100.371, F.S.;



557304

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

1           **Senate Amendment to Amendment (509936) (with directory and**  
2 **title amendments)**

3  
4           Between lines 63 and 64  
5 insert:

6           (7) (a) A sponsor that collects petition forms or uses a  
7 petition circulator to collect petition forms serves as a notary  
8 ~~fiduciary~~ to the elector signing the petition form, ensuring  
9 that any petition form entrusted to the petition circulator  
10 shall be promptly delivered to the supervisor of elections





557304

11 within 30 days after the elector signs the form. If a petition  
12 form collected by any petition circulator is not promptly  
13 delivered to the supervisor of elections, the sponsor is liable  
14 for the following fines:

15 1. A fine in the amount of \$50 for each petition form  
16 received by the supervisor of elections more than 30 days after  
17 the elector signed the petition form or the next business day,  
18 if the office is closed. A fine in the amount of \$250 for each  
19 petition form received if the sponsor or petition circulator  
20 acted willfully.

21 2. A fine in the amount of \$500 for each petition form  
22 collected by a petition circulator which is not submitted to the  
23 supervisor of elections. A fine in the amount of \$1,000 for any  
24 petition form not submitted if the sponsor or petition  
25 circulator acted willfully.

26  
27 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

28 And the directory clause is amended as follows:

29 Delete line 39

30 and insert:

31 Section 3. Subsections (3) and (6), paragraph (a) of  
32 subsection (7), and subsections (11) and (13) of section

33  
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 440

37 and insert:

38 electronic format; specifying that an initiative  
39 sponsor serves as a notary to an elector signing a



557304

40

petition form; revising the length of time that a



689326

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
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The Committee on Ethics and Elections (Rodriguez) recommended the following:

1           **Senate Amendment to Amendment (509936) (with directory and**  
2 **title amendments)**

3  
4           Between lines 63 and 64  
5 insert:

6           (9) The division shall adopt by rule a complaint form for  
7 an elector who claims to have had his or her signature  
8 misrepresented, forged, or not delivered to the supervisor. The  
9 division shall also adopt rules ~~to ensure the integrity of the~~  
10 ~~petition form gathering process, including rules~~ requiring



689326

11 sponsors to account for all petition forms used by their agents.  
12 Such rules may require a sponsor or petition circulator to  
13 provide identification information on each petition form as  
14 determined by the department as needed to assist in the  
15 accounting of petition forms.

16  
17 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

18 And the directory clause is amended as follows:

19 Delete line 39

20 and insert:

21 Section 3. Subsections (3), (6), (9), (11), and (13) of  
22 section

23  
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 Delete line 440

27 and insert:

28 electronic format; revising the division's rulemaking  
29 authority regarding the petition form gathering  
30 process; revising the length of time that a



732528

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
	.	
	.	
	.	

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The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment to Amendment (509936) (with title amendment)**

Delete lines 66 - 70

and insert:

signature shall be dated when made and shall be valid for a period of 2 years following such date, provided all other requirements of law are met. The

===== T I T L E A M E N D M E N T =====



732528

11 And the title is amended as follows:

12 Delete lines 440 - 441

13 and insert:

14 electronic format; requiring a



182802

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
	.	
	.	
	.	

---

The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment to Amendment (509936) (with title amendment)**

Delete lines 78 - 82

and insert:

receipt of the petition forms and payment of the fee required by s. 99.097. The supervisor shall promptly record,

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:



182802

11           Delete lines 441 - 444  
12 and insert:  
13           signature on a petition form is valid; revising the  
14           circumstances under





275640

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
	.	
	.	
	.	

The Committee on Ethics and Elections (Rodriguez) recommended the following:

**Senate Amendment to Amendment (509936) (with title amendment)**

Between lines 325 and 326  
insert:

Section 6. Section 104.186, Florida Statutes, is repealed.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 460



275640

11 and insert:  
12       available in each voting booth; repealing s. 104.186,  
13       F.S., relating to violations regarding the  
14       compensation of petition circulators; amending s.  
15       106.07,



803524

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
01/29/2020	.	
	.	
	.	
	.	

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The Committee on Ethics and Elections (Rodriguez) recommended the following:

1           **Senate Amendment to Amendment (509936) (with title**  
2 **amendment)**

3  
4           Between lines 414 and 415  
5 insert:

6           Section 8. To account for the Department of State's  
7 implementation problems that caused delays in registering  
8 petition circulators as required in s. 100.371, Florida  
9 Statutes, the deadline for supervisors of elections to validate  
10 and verify signed initiative forms for constitutional amendments



803524

11 proposed by initiative for the 2020 general election ballot is  
12 extended through 30 days after the effective date of this act.  
13 Notwithstanding the timeframe prescribed in s. 100.371(1),  
14 Florida Statutes, the Secretary of State shall accept any  
15 petitions verified pursuant to this section for filing so long  
16 as the secretary determines that valid and verified petition  
17 forms have been signed by the constitutionally required number  
18 and distribution of electors required under the Florida Election  
19 Code. This section shall operate retroactively.

20  
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete line 464

24 and insert:

25 applicability; revising deadlines for signature  
26 verification on petition forms for the 2020 general  
27 election; providing for retroactive application;  
28 providing for severability; providing

By Senator Hutson

7-01737B-20

20201794\_\_

1 A bill to be entitled  
 2 An act relating to constitutional amendments proposed  
 3 by initiative; amending s. 15.21, F.S.; requiring the  
 4 Secretary of State to submit an initiative petition to  
 5 the Speaker of the House of Representatives and the  
 6 President of the Senate when a specified percentage of  
 7 the required statewide signatures is obtained;  
 8 amending s. 100.371, F.S.; authorizing a citizen to  
 9 challenge a petition circulator's registration;  
 10 requiring the court to take specified action if the  
 11 petition circulator is not registered; providing that  
 12 the Division of Elections or a supervisor of elections  
 13 may provide petition forms in electronic format;  
 14 revising the length of validity of a petition form;  
 15 requiring a petition sponsor to pay the supervisor's  
 16 actual cost of signature verification for petition  
 17 forms; requiring the Department of State to adopt  
 18 certain rules; modifying conditions under which the  
 19 supervisor may verify a signature on a petition form  
 20 as valid; requiring the Secretary of State to submit a  
 21 copy of an initiative to the Financial Impact  
 22 Estimating Conference; requiring the Financial Impact  
 23 Estimating Conference to analyze the fiscal impact to  
 24 state government of a proposed initiative; requiring a  
 25 ballot to include certain statements explaining  
 26 whether the Financial Impact Estimating Conference  
 27 agreed on the initiative's impact; authorizing the  
 28 Speaker of the House of Representatives and the  
 29 President of the Senate to direct legislative staff to

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30 analyze the effects of a proposed initiative petition;  
 31 amending s. 101.161, F.S.; requiring that a ballot  
 32 include disclosures about the initiative sponsor;  
 33 defining a term; requiring that the ballot include a  
 34 statement about the initiative's projected fiscal  
 35 impact; requiring the Attorney General to request the  
 36 Supreme Court to determine whether the initiative  
 37 language violates the United States Constitution or  
 38 the State Constitution or has other infirmities;  
 39 amending s. 101.171, F.S.; requiring a copy of the  
 40 initiative text in each voting booth; amending s.  
 41 106.07, F.S.; requiring a political committee  
 42 sponsoring an initiative to disclose the percentage of  
 43 in-state contributions received; defining a term;  
 44 providing applicability; providing for severability;  
 45 providing an effective date.

46  
47 Be It Enacted by the Legislature of the State of Florida:48  
49 Section 1. Section 15.21, Florida Statutes, is amended to  
50 read:51 15.21 Initiative petitions; s. 3, Art. XI, State  
52 Constitution.—The Secretary of State shall immediately submit an  
53 initiative petition to the Attorney General, the Speaker of the  
54 House of Representatives, and the President of the Senate ~~and to~~  
55 ~~the Financial Impact Estimating Conference~~ if the sponsor has:

56 (1) Registered as a political committee pursuant to s.

57 106.03;

58 (2) Submitted the ballot title, substance, and text of the

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59 proposed revision or amendment to the Secretary of State  
60 pursuant to ss. 100.371 and 101.161; and

61 (3) Obtained a letter from the Division of Elections  
62 confirming that the sponsor has submitted to the appropriate  
63 supervisors for verification, and the supervisors have verified,  
64 forms signed and dated equal to 50 ~~40~~ percent of the number of  
65 electors statewide and in at least one-fourth of the  
66 congressional districts required by s. 3, Art. XI of the State  
67 Constitution.

68 Section 2. Subsections (3), (6), (11), and (13) of section  
69 100.371, Florida Statutes, are amended to read:

70 100.371 Initiatives; procedure for placement on ballot.—

71 (3) (a) A person may not collect signatures or initiative  
72 petitions for compensation unless the person is registered as a  
73 petition circulator with the Secretary of State.

74 (b) A citizen may challenge a petition circulator's  
75 registration under this section by filing a petition in circuit  
76 court. If the court finds that the respondent is not a  
77 registered petition circulator, the court must enjoin the  
78 respondent from collecting signatures or initiative petitions  
79 for compensation until she or he is lawfully registered.

80 (6) The division or the supervisor of elections shall make  
81 hard copy petition forms or electronic Portable Document Format  
82 (PDF) petition forms available to registered petition  
83 circulators. All such forms must contain information identifying  
84 the petition circulator to which the forms are provided. The  
85 division shall maintain a database of all registered petition  
86 circulators and the petition forms assigned to each. Each  
87 supervisor of elections shall provide to the division

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88 information on petition forms assigned to and received from  
89 petition circulators. The information must be provided in a  
90 format and at times as required by the division by rule. The  
91 division must update information on petition forms daily and  
92 make the information publicly available.

93 (11) An initiative petition form circulated for signature  
94 may not be bundled with or attached to any other petition. Each  
95 signature shall be dated when made and shall be valid until the  
96 next February 1 occurring in an even-numbered year for the  
97 purpose of appearing on the ballot for the general election  
98 occurring in that same year for a period of 2 years following  
99 ~~such date~~, provided all other requirements of law are met. The  
100 sponsor shall submit signed and dated forms to the supervisor of  
101 elections for the county of residence listed by the person  
102 signing the form for verification of the number of valid  
103 signatures obtained. If a signature on a petition is from a  
104 registered voter in another county, the supervisor shall notify  
105 the petition sponsor of the misfiled petition. The supervisor  
106 shall promptly verify the signatures within 30 days after  
107 receipt of the petition forms and payment of a ~~the~~ fee for the  
108 actual cost of signature verification incurred by the supervisor  
109 ~~required by s. 99.097. The Department of State shall adopt rules~~  
110 to set the cost to verify a petition under this subsection, and  
111 the department shall update the cost annually. The supervisor  
112 shall promptly record, in the manner prescribed by the Secretary  
113 of State, the date each form is received by the supervisor, and  
114 the date the signature on the form is verified as valid. The  
115 supervisor may verify that the signature on a form is valid only  
116 if:

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117 (a) The form contains the original signature of the  
 118 purported elector.

119 (b) The purported elector has accurately recorded on the  
 120 form the date on which he or she signed the form.

121 (c) The form sets forth the purported elector's name,  
 122 address, city, county, and voter registration number or date of  
 123 birth.

124 (d) The purported elector is, at the time he or she signs  
 125 the form and at the time the form is verified, a duly qualified  
 126 and registered elector in the state.

127 (e) The signature was obtained legally, including that if a  
 128 paid petition circulator was used, the circulator was validly  
 129 registered under subsection (3) when the signature was obtained.  
 130

131 The supervisor shall retain the signature forms for at least 1  
 132 year following the election in which the issue appeared on the  
 133 ballot or until the Division of Elections notifies the  
 134 supervisors of elections that the committee that circulated the  
 135 petition is no longer seeking to obtain ballot position.

136 (13) (a) At the same time the Secretary of State submits an  
 137 initiative petition to the Attorney General pursuant to s.  
 138 15.21, the secretary shall submit a copy of the initiative  
 139 petition to the Financial Impact Estimating Conference. Within  
 140 75 days after receipt of a proposed revision or amendment to the  
 141 State Constitution by initiative petition from the Secretary of  
 142 State, the Financial Impact Estimating Conference shall complete  
 143 an analysis and financial impact statement to be placed on the  
 144 ballot of the estimated increase or decrease in any revenues or  
 145 costs to state government ~~or local governments, estimated~~

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146 ~~economic impact on the state and local economy,~~ and the overall  
 147 impact to the state budget resulting from the proposed  
 148 initiative. The 75-day time limit is tolled when the Legislature  
 149 is in session. The Financial Impact Estimating Conference shall  
 150 submit the financial impact statement to the Attorney General  
 151 and Secretary of State.

152 (b) Immediately upon receipt of a proposed revision or  
 153 amendment from the Secretary of State, the coordinator of the  
 154 Office of Economic and Demographic Research shall contact the  
 155 person identified as the sponsor to request an official list of  
 156 all persons authorized to speak on behalf of the named sponsor  
 157 and, if there is one, the sponsoring organization at meetings  
 158 held by the Financial Impact Estimating Conference. All other  
 159 persons shall be deemed interested parties or proponents or  
 160 opponents of the initiative. The Financial Impact Estimating  
 161 Conference shall provide an opportunity for any representatives  
 162 of the sponsor, interested parties, proponents, or opponents of  
 163 the initiative to submit information and may solicit information  
 164 or analysis from any other entities or agencies, including the  
 165 Office of Economic and Demographic Research.

166 (c) All meetings of the Financial Impact Estimating  
 167 Conference shall be open to the public. The President of the  
 168 Senate and the Speaker of the House of Representatives, jointly,  
 169 shall be the sole judge for the interpretation, implementation,  
 170 and enforcement of this subsection.

171 1. The Financial Impact Estimating Conference is  
 172 established to review, analyze, and estimate the fiscal  
 173 ~~financial~~ impact on state government of amendments to or  
 174 revisions of the State Constitution proposed by initiative. The

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175 Financial Impact Estimating Conference shall consist of four  
 176 principals: one person from the Executive Office of the  
 177 Governor; the coordinator of the Office of Economic and  
 178 Demographic Research, or his or her designee; one person from  
 179 the professional staff of the Senate; and one person from the  
 180 professional staff of the House of Representatives. Each  
 181 principal shall have appropriate fiscal expertise in the subject  
 182 matter of the initiative. A Financial Impact Estimating  
 183 Conference may be appointed for each initiative.

184 2. Principals of the Financial Impact Estimating Conference  
 185 shall reach a consensus or majority concurrence on a clear and  
 186 unambiguous financial impact statement, no more than 150 words  
 187 in length, and immediately submit the statement to the Attorney  
 188 General. Nothing in this subsection prohibits the Financial  
 189 Impact Estimating Conference from setting forth a range of  
 190 potential impacts in the financial impact statement. Any  
 191 financial impact statement that a court finds not to be in  
 192 accordance with this section shall be remanded solely to the  
 193 Financial Impact Estimating Conference for redrafting. The  
 194 Financial Impact Estimating Conference shall redraft the  
 195 financial impact statement within 15 days.

196 3. ~~If the members of the Financial Impact Estimating~~  
 197 ~~Conference are unable to agree on the statement required by this~~  
 198 ~~subsection, or if the Supreme Court has rejected the initial~~  
 199 submission by the Financial Impact Estimating Conference and no  
 200 redraft has been approved by the Supreme Court by 5 p.m. on the  
 201 75th day before the election, the following statement shall  
 202 appear on the ballot pursuant to ~~s. 101.161(1)~~: "The members of  
 203 the Financial Impact Estimating Conference cannot agree on the

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204 ~~fiscal financial~~ impact of this measure on state government, ~~if~~  
 205 ~~any, cannot be reasonably determined at this time."~~

206 (d) The financial impact statement must be separately  
 207 contained and be set forth after the ballot summary as required  
 208 in s. 101.161(1).

209 1. If the financial impact statement estimates increased  
 210 costs, decreased revenues, or a negative fiscal impact on the  
 211 state government or local economy, or an indeterminate impact  
 212 ~~for any of these areas~~, the ballot must include the a statement  
 213 required by s. 101.161(1)(a)4.

214 2. If the financial impact statement estimates an  
 215 indeterminate fiscal impact, the ballot must include the  
 216 statement required by s. 101.161(1)(a)5.

217 3. If the members of the Financial Impact Estimating  
 218 Conference are unable to agree on the statement required by this  
 219 subsection, the ballot must include the statement required by s.  
 220 101.161(1)(a)6 indicating such estimated effect in bold font.

221 (e)1. Any financial impact statement that the Supreme Court  
 222 finds not to be in accordance with this subsection shall be  
 223 remanded solely to the Financial Impact Estimating Conference  
 224 for redrafting, provided the court's advisory opinion is  
 225 rendered at least 75 days before the election at which the  
 226 question of ratifying the amendment will be presented. The  
 227 Financial Impact Estimating Conference shall prepare and adopt a  
 228 revised financial impact statement no later than 5 p.m. on the  
 229 15th day after the date of the court's opinion.

230 2. If, by 5 p.m. on the 75th day before the election, the  
 231 Supreme Court has not issued an advisory opinion on the initial  
 232 financial impact statement prepared by the Financial Impact

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233 Estimating Conference for an initiative amendment that otherwise  
 234 meets the legal requirements for ballot placement, the financial  
 235 impact statement shall be deemed approved for placement on the  
 236 ballot.

237 3. In addition to the financial impact statement required  
 238 by this subsection, the Financial Impact Estimating Conference  
 239 shall draft an initiative financial information statement. The  
 240 initiative financial information statement should describe in  
 241 greater detail than the financial impact statement any projected  
 242 increase or decrease in revenues or costs that the state or  
 243 local governments would likely experience ~~and the estimated~~  
 244 ~~economic impact on the state and local economy~~ if the ballot  
 245 measure were approved. If appropriate, the initiative financial  
 246 information statement may include both estimated dollar amounts  
 247 and a description placing the estimated dollar amounts into  
 248 context. The initiative financial information statement must  
 249 include both a summary of not more than 500 words and additional  
 250 detailed information that includes the assumptions that were  
 251 made to develop the financial impacts, workpapers, and any other  
 252 information deemed relevant by the Financial Impact Estimating  
 253 Conference.

254 4. The Department of State shall have printed, and shall  
 255 furnish to each supervisor of elections, a copy of the summary  
 256 from the initiative financial information statements. The  
 257 supervisors shall have the summary from the initiative financial  
 258 information statements available at each polling place and at  
 259 the main office of the supervisor of elections upon request.

260 5. The Secretary of State and the Office of Economic and  
 261 Demographic Research shall make available on the Internet each

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262 initiative financial information statement in its entirety. In  
 263 addition, each supervisor of elections whose office has a  
 264 website shall post the summary from each initiative financial  
 265 information statement on the website. Each supervisor shall  
 266 include a copy of each summary from the initiative financial  
 267 information statements and the Internet addresses for the  
 268 information statements on the Secretary of State's and the  
 269 Office of Economic and Demographic Research's websites in the  
 270 publication or mailing required by s. 101.20.

271 (f) When the Secretary of State submits a proposed  
 272 initiative petition to the Speaker of the House of  
 273 Representatives and the President of the Senate pursuant to s.  
 274 15.21, the Speaker and the President may direct legislative  
 275 committee staff to prepare an analysis of the petition. The  
 276 analysis may include, but is not limited to, whether the  
 277 amendment has undefined terms or will cause unintended  
 278 consequences or economic impacts.

279 Section 3. Subsection (1) of section 101.161, Florida  
 280 Statutes, is amended to read:

281 101.161 Referenda; ballots.—

282 (1) (a) Whenever a constitutional amendment or other public  
 283 measure is submitted to the vote of the people, a ballot summary  
 284 of such amendment or other public measure shall be printed in  
 285 clear and unambiguous language on the ballot after the list of  
 286 candidates, followed by the word "yes" and also by the word  
 287 "no," and shall be styled in such a manner that a "yes" vote  
 288 will indicate approval of the proposal and a "no" vote will  
 289 indicate rejection. The ballot summary of the amendment or other  
 290 public measure and the ballot title to appear on the ballot

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291 shall be embodied in the constitutional revision commission  
 292 proposal, constitutional convention proposal, taxation and  
 293 budget reform commission proposal, or enabling resolution or  
 294 ordinance. The ballot summary of the amendment or other public  
 295 measure shall be an explanatory statement, not exceeding 75  
 296 words in length, of the chief purpose of the measure. In  
 297 addition, for every constitutional amendment proposed by  
 298 initiative, the ballot shall include, following the ballot  
 299 summary, in the following order:

300 1. The name of the initiative's sponsor and the percentage  
 301 of total contributions obtained by the sponsor from in-state  
 302 persons. For purposes of this subparagraph, the term "person"  
 303 has the same meaning as provided in s. 106.011(14), except that  
 304 the term does not include a political party, an affiliated party  
 305 committee, or a political committee.

306 2. Whether out-of-state petition circulators were used to  
 307 obtain signatures for ballot placement.

308 3. A separate financial impact statement concerning the  
 309 measure prepared by the Financial Impact Estimating Conference  
 310 in accordance with s. 100.371(13) ~~s. 100.371(5).~~

311 4. If the fiscal impact statement projects increased costs,  
 312 decreased revenues, or a negative fiscal impact on state  
 313 government, the following statement in bold print:

314 **THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO**  
 315 **RESULT IN INCREASED COSTS, DECREASED REVENUES, OR A**  
 316 **NEGATIVE FISCAL IMPACT, WHICH MAY RESULT IN HIGHER**  
 317 **TAXES OR A LOSS OF GOVERNMENT SERVICES IN ORDER TO**  
 318 **MAINTAIN A BALANCED BUDGET AS REQUIRED BY THE STATE**  
 319

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320 CONSTITUTION.

321  
 322 5. If the fiscal impact statement is indeterminate, the  
 323 following statement in bold print:

324 **THE FISCAL IMPACT OF THIS AMENDMENT CANNOT BE**  
 325 **DETERMINED DUE TO AMBIGUITIES AND UNCERTAINTIES**  
 326 **SURROUNDING THE AMENDMENT'S IMPACT.**  
 327

328  
 329 6. If the members of the Financial Impact Estimating  
 330 Conference are unable to agree on the financial impact  
 331 statement, the following statement in bold print:

332 **THE FINANCIAL IMPACT ESTIMATING CONFERENCE WAS UNABLE**  
 333 **TO AGREE ON THE FISCAL IMPACT OF THIS PROPOSED**  
 334 **CONSTITUTIONAL AMENDMENT. THIS AMENDMENT MAY RESULT IN**  
 335 **HIGHER TAXES OR A LOSS OF GOVERNMENT SERVICES IN ORDER**  
 336 **TO MAINTAIN A BALANCED BUDGET AS REQUIRED BY THE STATE**  
 337 **CONSTITUTION.**  
 338

339  
 340 (b) The ballot title shall consist of a caption, not  
 341 exceeding 15 words in length, by which the measure is commonly  
 342 referred to or spoken of.

343 (c) When the Attorney General requests an advisory opinion  
 344 of the Supreme Court to review a proposed constitutional  
 345 amendment pursuant to s. 16.061, the Attorney General shall  
 346 include a request for the court to review whether the proposed  
 347 amendment:

348 1. Violates the United States Constitution.

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349 2. Conflicts with an existing provision of the State  
350 Constitution.

351 3. Would be held facially void for vagueness.

352 4. Has any undefined terms that will have a substantive  
353 impact.

354 (d) This subsection does not apply to constitutional  
355 amendments or revisions proposed by joint resolution.

356 Section 4. Section 101.171, Florida Statutes, is amended to  
357 read:

358 101.171 Copy of constitutional amendment to be available at  
359 voting locations.—Whenever any amendment to the State  
360 Constitution is to be voted upon at any election, the Department  
361 of State shall have printed and shall furnish to each supervisor  
362 of elections a sufficient number of copies of the amendment  
363 either in poster or booklet form, and the supervisor shall  
364 provide have a copy in thereof conspicuously posted or available  
365 at each voting booth polling room or early voting area upon the  
366 day of election.

367 Section 5. Paragraph (a) of subsection (4) of section  
368 106.07, Florida Statutes, is amended to read:

369 106.07 Reports; certification and filing.—

370 (4) (a) Except for daily reports, to which only the  
371 contributions provisions below apply, and except as provided in  
372 paragraph (b), each report required by this section must  
373 contain:

374 1. The full name, address, and occupation, if any, of each  
375 person who has made one or more contributions to or for such  
376 committee or candidate within the reporting period, together  
377 with the amount and date of such contributions. For

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378 corporations, the report must provide as clear a description as  
379 practicable of the principal type of business conducted by the  
380 corporation. However, if the contribution is \$100 or less or is  
381 from a relative, as defined in s. 112.312, provided that the  
382 relationship is reported, the occupation of the contributor or  
383 the principal type of business need not be listed.

384 2. The name and address of each political committee from  
385 which the reporting committee or the candidate received, or to  
386 which the reporting committee or candidate made, any transfer of  
387 funds, together with the amounts and dates of all transfers.

388 3. Each loan for campaign purposes to or from any person or  
389 political committee within the reporting period, together with  
390 the full names, addresses, and occupations, and principal places  
391 of business, if any, of the lender and endorsers, if any, and  
392 the date and amount of such loans.

393 4. A statement of each contribution, rebate, refund, or  
394 other receipt not otherwise listed under subparagraphs 1.  
395 through 3.

396 5. The total sums of all loans, in-kind contributions, and  
397 other receipts by or for such committee or candidate during the  
398 reporting period. The reporting forms shall be designed to  
399 elicit separate totals for in-kind contributions, loans, and  
400 other receipts.

401 6. The full name and address of each person to whom  
402 expenditures have been made by or on behalf of the committee or  
403 candidate within the reporting period; the amount, date, and  
404 purpose of each such expenditure; and the name and address of,  
405 and office sought by, each candidate on whose behalf such  
406 expenditure was made. However, expenditures made from the petty

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407 cash fund provided by s. 106.12 need not be reported  
408 individually.

409 7. The full name and address of each person to whom an  
410 expenditure for personal services, salary, or reimbursement for  
411 authorized expenses as provided in s. 106.021(3) has been made  
412 and which is not otherwise reported, including the amount, date,  
413 and purpose of such expenditure. However, expenditures made from  
414 the petty cash fund provided for in s. 106.12 need not be  
415 reported individually. Receipts for reimbursement for authorized  
416 expenditures shall be retained by the treasurer along with the  
417 records for the campaign account.

418 8. The total amount withdrawn and the total amount spent  
419 for petty cash purposes pursuant to this chapter during the  
420 reporting period.

421 9. The total sum of expenditures made by such committee or  
422 candidate during the reporting period.

423 10. The amount and nature of debts and obligations owed by  
424 or to the committee or candidate, which relate to the conduct of  
425 any political campaign.

426 11. Transaction information for each credit card purchase.  
427 Receipts for each credit card purchase shall be retained by the  
428 treasurer with the records for the campaign account.

429 12. The amount and nature of any separate interest-bearing  
430 accounts or certificates of deposit and identification of the  
431 financial institution in which such accounts or certificates of  
432 deposit are located.

433 13. The primary purposes of an expenditure made indirectly  
434 through a campaign treasurer pursuant to s. 106.021(3) for goods  
435 and services such as communications media placement or

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436 procurement services, campaign signs, insurance, and other  
437 expenditures that include multiple components as part of the  
438 expenditure. The primary purpose of an expenditure shall be that  
439 purpose, including integral and directly related components,  
440 that comprises 80 percent of such expenditure.

441 14. If filed by a political committee supporting an  
442 initiative, the percentage of total contributions obtained  
443 during the reporting period from in-state persons. For purposes  
444 of this subparagraph, the term "person" has the same meaning as  
445 provided in s. 106.011, except that the term does not include a  
446 political party as provided in s. 103.091, an affiliated party  
447 committee as provided in s. 103.092, or a political committee as  
448 defined in s. 106.011.

449 Section 6. The provisions of this act apply to all  
450 revisions or amendments to the State Constitution by initiative  
451 which are proposed for the 2020 general election ballot and each  
452 ballot thereafter; provided, however, that nothing in this act  
453 affects the validity of any petition form gathered before the  
454 effective date of this act or any contract entered into before  
455 the effective date of this act.

456 Section 7. If any provision of this act or its application  
457 to any person or circumstance is held invalid for any reason,  
458 the remaining portions of this act, to the fullest extent  
459 possible, shall be severed from the void portion and given the  
460 fullest possible force and application.

461 Section 8. This act shall take effect upon becoming a law.



The Florida Senate

## Committee Agenda Request

**To:** Senator Dennis Baxley, Chair  
Committee on Ethics and Elections

**Subject:** Committee Agenda Request

**Date:** January 21, 2020

---

I respectfully request that **Senate Bill #1794**, relating to Constitutional Amendments Proposed by Initiative, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink that reads "Travis Hutson".

---

Senator Travis Hutson  
Florida Senate, District 7

Tab #10 ✓

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

1794

Bill Number (if applicable)

942064

Amendment Barcode (if applicable)

Topic Constitutional Amendments Proposed by Initiative

Name Aliki Moncrief (a - LEE - key)

Job Title Executive Director

Address 1700 N. Monroe St. #11-286

Phone 8506294656

Street

Tallahassee

FL

32303

Email contact@fcvoters.org

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Conservation Voters

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

*Meeting Date*

1794

*Bill Number (if applicable)*

656836

*Amendment Barcode (if applicable)*

Topic Constitutional Amendments Proposed by Initiative

Name Aliki Moncrief (a - LEE - key)

Job Title Executive Director

Address 1700 N. Monroe St. #11-286

*Street*

Tallahassee

*City*

FL

*State*

32303

*Zip*

Phone 8506294656

Email contact@fcvoters.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing Florida Conservation Voters

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

*Meeting Date*

1794

*Bill Number (if applicable)*

732528

*Amendment Barcode (if applicable)*

Topic Constitutional Amendments Proposed by Initiative

Name Aliki Moncrief (a - LEE - key)

Job Title Executive Director

Address 1700 N. Monroe St. #11-286

Phone 8506294656

*Street*

Tallahassee

FL

32303

Email contact@fcvoters.org

*City*

*State*

*Zip*

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing Florida Conservation Voters

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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S-001 (10/14/14)



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

1794

Bill Number (if applicable)

182802

Amendment Barcode (if applicable)

Topic Constitutional Amendments Proposed by Initiative

Name Aliko Moncrief (a - LEE - key)

Job Title Executive Director

Address 1700 N. Monroe St. #11-286

Phone 8506294656

Street

Tallahassee

FL

32303

Email contact@fcvoters.org

City

State

Zip

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against
(The Chair will read this information into the record.)

Representing Florida Conservation Voters

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/20  
Meeting Date

SB1794  
Bill Number (if applicable)  
509934  
Amendment Barcode (if applicable)

Topic \_\_\_\_\_

Name Ashley Lukis

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone 321-794-1292

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email ashley.lukis@gray-robinson.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Keep Our Constitution Clean

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

1794

Bill Number (if applicable)

509936

Amendment Barcode (if applicable)

Topic Const. Amend by Inst.

Name Deborah Foote

Job Title Gov't Affairs + Pol. Dir.

Address 200 W College #314

Street

Tallahassee

City

FL

State

32301

Zip

Phone 251 533 1798

Email deborah.foote@sierraclub.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Sierra Club FL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

Tar #10

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/10  
Meeting Date

1794  
Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name Ida V. Eskamani

Job Title Public Policy

Address 126 N Mills Ave  
Street  
Orlando FL 32801  
City State Zip

Phone 407376484

Email ida.eskaman

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing New Florida Majority + Organize Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/20  
Meeting Date

1794  
Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name Jodi James

Job Title Chair

Address 1375 Cypress Ave  
Street

Phone 321 8907302

Melbourne FL 32935  
City State Zip

Email jodi@flcan.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Floridians for Freedom

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-27-2020

Meeting Date

1794

Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name Karen Woodell

Job Title Exec. Director

Address 579 E. Coll St.

Phone 850-321-9386

Street

Tallahassee

City

FL

State

32301

Zip

Email fcfep@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Center for Fiscal + Economic Policy

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

412 KB

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-21-20

Meeting Date

1794

Bill Number (if applicable)

Topic Constitutional Amendment by Initiative

Amendment Barcode (if applicable)

Name Barbara DeBane

Job Title MS

Address 625 E. Brevard St

Phone 251-4280

Street

Jacksonville FL 32308

City

State

Zip

Email barbunderane@jacksonville.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FL NOW

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/27/2020  
Meeting Date

SB 1794  
Bill Number (if applicable)

Topic Constitutional Amendments proposed  
by Initiative

Amendment Barcode (if applicable)

Name Nancy Luna

Job Title Training Coordinator

Address 2934 Tanzanite Terrace

Phone 407-219-1787

Kissimmee FL 34758  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

SB1794

Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name Brad Ashwell

Job Title State Director, All Voting is Local

Address 1536 Chul; Nene

Phone 850-294-1008

Street

Tull Nasse

City

FL

State

32301

Zip

Email brad@allvotingislocal.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing All Voting Is Local

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020  
Meeting Date

1794  
Bill Number (if applicable)

Topic Constitutional Amendment Proposed by Initiative

Amendment Barcode (if applicable)

Name Pamela Burch Fort

Job Title

Address 104 S. Monroe Street

Phone 850-425-1344

Tallahassee FL 32301  
City State Zip

Email TcgLobby@aol.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida State Conference of NAACP

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1 / 27 / 2020  
Meeting Date

1794  
Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name Christopher Emmanuel

Job Title Policy Director

Address 136 S. Broward St  
Street

Phone 850 521 1200

Tallahassee FL 52301  
City State Zip

Email Cemmanuel@fichamber

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

SB 1794

Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name Trish Neely

Job Title Consultant

Address 2024 Shangri La Lane

Phone 850 322 3377

Street

Tally

City

State

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing League of Women Voters

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1.27.20

*Meeting Date*

SB 1794

*Bill Number (if applicable)*

Topic Citizen Initiatives

*Amendment Barcode (if applicable)*

Name Kara Gross

Job Title Legislative Director

Address 4343 West Flagler St.

Phone 786-363-4436

*Street*

Miami

FL

33134

Email kgross@aclufl.org

*City*

*State*

*Zip*

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing American Civil Liberties Union of Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1794

Bill Number (if applicable)

Meeting Date

Topic Constitutional Amendments proposed

Amendment Barcode (if applicable)

Name Silvia T. Gonzalez

Job Title Driver

Address \_\_\_\_\_

Phone (407) 93-1424

Street

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/27/20  
Meeting Date

1794  
Bill Number (if applicable)

Topic SB 1794

Amendment Barcode (if applicable)

Name Laura Wagner

Job Title Executive Director

Address 1951 NW 7th Ave

Phone 630.776.1760

Street

Miami  
City

FL  
State

33136  
Zip

Email laura@opportunityFL.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Opportunity For All Floridians

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1794

Meeting Date

Bill Number (if applicable)

Topic Constitutional Amendment

Amendment Barcode (if applicable)

Name Valerie Brant-Wilson

Job Title Legislative Liaison

Address 64 Woodland Drive #205

Phone 391-794-8437

Street

Vero Beach Fl.

State

32962

Zip

Email brantwilson50@aol.com

Speaking:  For  Against  Information

Waive Speaking  In Support  Against  
(The Chair will read this information into the record.)

Representing Indian River

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-27-2020  
Meeting Date

5B 1794  
Bill Number (if applicable)

Topic #

Amendment Barcode (if applicable)

Name David Ash

Job Title \_\_\_\_\_

Address PO Box 11201

Phone 850-251-0985

Street

Tallahassee

FL

32302

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against

(The Chair will read this information into the record.)

Representing Common Cause FL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/27/20  
Meeting Date

SB 1794  
Bill Number (if applicable)

Topic Initiatives

Amendment Barcode (if applicable)

Name Dr. Rich Templin

Job Title \_\_\_\_\_

Address 135 S. Monroe  
Street  
Tallahassee FL 32301  
City State Zip

Phone 850-224-6926

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida AFL-CIO

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

Jan 27, 2020

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB1794

Bill Number (if applicable)

Topic Constitution

Amendment Barcode (if applicable)

Name Elizabeth Brown-Davis

Job Title TEACHER

Address 720 Tanana Fall Dr

Phone

Street

City

Rushon FL 3357

State

Zip

Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against (The Chair will read this information into the record.)

Representing

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

SB1794

Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name Proposed by Initiative Paula Ruffin-Jefferson

Job Title Teacher

Address 5817 Autumn Shire Dr

Phone 813-317-1890

City Zephyrhills FL 33541

Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against (The Chair will read this information into the record.)

Representing

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/20  
Meeting Date

SB 1794  
Bill Number (if applicable)

Topic Constitutional Amendments by Initiative

Amendment Barcode (if applicable)

Name N. Sabrina Gates

Job Title Educator

Address 19051 Bayette Rd.

Phone \_\_\_\_\_

Street

Lithia, FL

City

State

33547

Zip

Email Sabrina.gates@ctched.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-27-20

Meeting Date

1794

Bill Number (if applicable)

Topic Constitutional Amendments propose

Amendment Barcode (if applicable)

Name Shaquille Stevens

Job Title Bus Driver

Address \_\_\_\_\_

Phone \_\_\_\_\_

Street

City

State

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

**THE FLORIDA SENATE**

**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

Meeting Date

1794

Bill Number (if applicable)

Topic Constitutional

Amendment Barcode (if applicable)

Name Madonna Higgs

Job Title Educator

Address 1413 Sunnyhills drive

Phone (813) 787-5836

Street

Brandon FL 33510

City

State

Zip

Email hmadteach@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020

*Meeting Date*

1794

*Bill Number (if applicable)*

Topic Constitutional Amendments Proposed by Initiative

*Amendment Barcode (if applicable)*

Name Aliki Moncrief (a - LEE - key)

Job Title Executive Director

Address 1700 N. Monroe St. #11-286

Phone 8506294656

*Street*

Tallahassee

FL

32303

Email contact@fcvoters.org

*City*

*State*

*Zip*

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing Florida Conservation Voters

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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S-001 (10/14/14)



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020 Meeting Date

1794 Bill Number (if applicable)

Topic Const. Amend By Initiative

Amendment Barcode (if applicable)

Name Deborah Foote

Job Title Gov't Affairs + Pol. Dir.

Address 200 W college #314

Phone 251-533-1798

Tallahassee FL 32301

Email deborah.foote@sierracub.org

Speaking: For Against Information

Waive Speaking: In Support Against

Representing Sierra Club FL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/27/2020  
Meeting Date

513 1794  
Bill Number (if applicable)

Topic CONS. AMENDTS. PROPOSED BY INITIATIVE

Amendment Barcode (if applicable)

Name Ford Basis

Job Title Training Director IATSE Local 835

Address 1115 Alford Dr  
Street

Phone 321 277 3886

Orlando FL 32810  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**APPEARANCE RECORD**

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1-27-20  
Meeting Date

SB 1794  
Bill Number (if applicable)

Topic CONSTITUTIONAL AMENDMENTS PROPOSED BY INITIATIVE Amendment Barcode (if applicable)

Name ANTHONY MARCIANO

Job Title SERGEANT SHERIFF'S OFFICE

Address 23370 CAROLWOOD LANE

Phone 954.632-6878

Boca Raton FL 33428  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

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01-27-20

Meeting Date

1794

Bill Number (if applicable)

Topic Constitutional Amendments

Amendment Barcode (if applicable)

Name JoAnne Alvarez

Job Title 911 Operator Broward S.O.

Address 1037 NW 81 terrace

Phone 954 629 9970

Street Plantation FL 33322

City State Zip

Email josianne3301@yahoo.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against (The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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27 Jan 2020  
Meeting Date

SB 1794  
Bill Number (if applicable)

Topic SB 1794

Amendment Barcode (if applicable)

Name Tanya Bailey

Job Title Veteran Liaison FL CAN

Address 132 Lagoon Rd  
Street

Phone 757-788-9496

Winter Haven, FL 33884  
City State Zip

Email bailey.tanya@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLCAN Veterans Community

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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# CourtSmart Tag Report

Room: KN 412

Case No.:

Type:

Caption: Senate Ethics and Elections Committee

Judge:

Started: 1/27/2020 4:00:32 PM

Ends: 1/27/2020 5:50:29 PM

Length: 01:49:58

4:00:31 PM Meeting called to order  
4:00:36 PM Roll Call - Quorum is present  
4:00:55 PM Chair - Directions for meeting  
4:01:09 PM Tab 8 - SB 1312 by Senator Montford - Voting Systems  
4:02:30 PM Questions?  
4:03:29 PM Senator Passidomo  
4:03:55 PM Senator Montford  
4:04:05 PM Chair  
4:04:10 PM Appearance Forms?  
4:04:15 PM Mark Early, Florida Supervisors of Elections, waives in support  
4:04:25 PM Kara Gross, Leg. Dir., American Civil Liberties Union of Florida, (ACLU) waives in opposition  
4:04:42 PM David Ramba, Lobbyist, Florida Supervisors of Elections, waives in support  
4:04:51 PM David Ash, Common Cause of Florida, waives in opposition  
4:05:03 PM Ron Labasky, Florida Association of Supervisors of Elections, waives in support  
4:05:17 PM Dan Hendrickson, waives in support  
4:05:35 PM Debate? None  
4:05:41 PM Senator Montford waives close  
4:05:49 PM Roll Call SB 1312 - Favorable  
4:06:18 PM Tabs 1-4 Confirmation Hearing for Appointments  
4:07:06 PM Chair - one vote on all appointees unless Senator requests a separate vote  
4:07:32 PM Appearance Forms? None  
4:07:37 PM Debate? None  
4:07:52 PM Senator Braynon moves to recommend confirmations of all appointees Tabs 1-4  
4:08:13 PM Roll Call on Confirmations 1-4  
4:08:54 PM Chair - By your vote the Confirmation of appointees Tabs 1-4 is recommended Favorably  
4:09:23 PM Tab 5- Confirmation Hearing for Appointment: Adjutant General of Florida National Guard, Major General James O. Eifert  
4:09:32 PM Major General James O. Eifert is sworn in and makes statement  
4:11:17 PM Chair Opens floor for questions of Major Eifert  
4:12:46 PM Debate? None  
4:12:50 PM Senator Braynon moves to recommend confirmation of Major General Eifert  
4:13:03 PM Motion is adopted  
4:13:09 PM Roll Call on Tab 5 James O. Eifert  
4:13:25 PM By your vote, the confirmation of Major General Eifert is recommended Favorably  
4:13:59 PM Chair  
4:14:36 PM Recording Paused  
4:22:19 PM Recording Resumed  
4:22:59 PM Tab 9 - SB 1354 by Senator Brandes - Statewide Voter Registration Application  
4:24:32 PM Senator Brandes presents the bill  
4:24:42 PM Questions?  
4:24:44 PM Senator Rodriguez  
4:24:53 PM Senator Brandes  
4:25:23 PM Chair  
4:25:28 PM Senator Powell  
4:25:32 PM Senator Brandes  
4:26:35 PM Senator Powell  
4:26:39 PM Senator Brandes  
4:28:01 PM  
4:28:06 PM Appearance Forms?  
4:28:10 PM Kara Gross, Leg. Dir., (ACLU) waives in support  
4:28:16 PM Trish Neely, Consultant, League of Women's Voters speaking for  
4:29:24 PM Susan Aertker, speaking for information

4:30:34 PM Dan Hendrickson, Pres., Tallahassee Veterans Legal Collaborative, waives in support  
4:31:44 PM Debate? None  
4:31:51 PM Senator Brandes waives close  
4:31:58 PM Roll Call SB 1354 - Favorable  
4:32:20 PM Tab 6 - CS/SB 352 by Senator Hutson - Unlawful Use of Uniforms, Medals, or Insignia  
4:33:20 PM Questions? Senator Braynon  
4:33:46 PM Senator Hutson  
4:33:56 PM Appearance Forms?  
4:34:14 PM Jodi James, Florida Cannabis Action Network, waives in support  
4:34:27 PM Debate? None  
4:34:31 PM Senator Hutson waives close  
4:34:38 PM Roll Call CS/SB 352 - Favorable  
4:35:03 PM Tab 10 - SB 1794 by Senator Hutson - Constitutional Amendments Proposed by Initiative  
4:37:34 PM Strike All amendment 509936 by Senator Hutson  
4:38:33 PM Questions on strike-all amendment?  
4:38:35 PM Senator Powell - intent?  
4:39:15 PM Senator Hutson  
4:40:33 PM Senator Powell - Fiscal Impact?  
4:41:33 PM Senator Hutson  
4:42:03 PM Senator Rodriguez - immediate application? Part 2 of HB 5 (2019)  
4:43:33 PM Senator Hutson  
4:43:56 PM Senator Rodriguez - evidence of tampering?  
4:45:10 PM Senator Hutson  
4:46:11 PM Senator Rodriguez - moving threshold signatures?  
4:47:00 PM Senator Hutson  
4:47:28 PM Chair, explanation of timely filed amendments filed on original bill are out of order. (Nine AM's filed by Sen. Rodriguez and one AM by Sen. Powell.)  
4:48:10 PM There are 11 amendments to AM 509936 that are timely filed.  
4:48:13 PM Amendment 942064 by Senator Powell  
4:49:14 PM Questions? None  
4:49:22 PM Appearance Form?  
4:49:28 PM Aliko Moncrief, Exec., Dir., Fla. Conservation Voters, waive in support of amendment  
4:49:38 PM Debate? None  
4:49:43 PM Senator Powell waives close  
4:49:55 PM Amendment fails  
4:50:05 PM Amendment 703098 by Senator Rodriguez  
4:50:33 PM Questions? None  
4:51:33 PM Appearance Forms? None  
4:51:38 PM Debate? None  
4:51:45 PM Senator Hutson  
4:52:39 PM Senator Rodriguez waives to close on amendment  
4:52:55 PM Amendment fails  
4:53:02 PM Amendment 148228 by Senator Rodriguez  
4:54:03 PM Questions on amendment? None  
4:54:08 PM Appearance Forms? None  
4:54:19 PM Senator Hutson  
4:54:38 PM Debate? None  
4:54:47 PM Senator Rodriguez waives close  
4:54:58 PM Amendment fails  
4:55:06 PM Amendment 656836 by Senator Rodriguez  
4:55:31 PM Questions? None  
4:55:35 PM Appearance Forms?  
4:55:40 PM Aliko Moncrief, waives in support  
4:55:56 PM Senator Hutson  
4:56:03 PM Debate? None  
4:56:10 PM Senator Rodriguez waives close  
4:56:19 PM Amendment fails  
4:56:27 PM Amendment 234346 by Senator Rodriguez  
4:57:01 PM Questions? None  
4:57:43 PM Appearance Forms? None  
4:57:50 PM Debate? None  
4:57:55 PM Senator Hutson

4:58:04 PM Senator Rodriguez to close  
4:59:00 PM Amendment fails  
4:59:49 PM Amendment 557304 by Senator Rodriguez  
5:00:56 PM Questions? None  
5:01:56 PM Appearance Forms? None  
5:02:02 PM Debate? None  
5:02:06 PM Senator Hutson  
5:02:35 PM Senator Rodriguez waives close  
5:02:42 PM Amendment fails  
5:02:48 PM Amendment 689326 by Senator Rodriguez  
5:03:15 PM Questions? None  
5:03:59 PM Appearance Forms? None  
5:04:04 PM Debate?  
5:04:07 PM Senator Hutson  
5:04:26 PM Senator Rodriguez waives close  
5:04:37 PM Amendment fails  
5:04:41 PM Amendment 732528 by Senator Rodriguez  
5:05:16 PM Questions? None  
5:05:20 PM Appearance Forms?  
5:05:24 PM Aliko Moncrief, Florida Conservation Voters, waives in support of amendment  
5:05:42 PM Senator Hutson  
5:06:13 PM Debate?  
5:06:18 PM Senator Powell - language  
5:06:51 PM Debate? None  
5:06:56 PM Senator Rodriguez waives close  
5:07:04 PM Amendment fails  
5:07:07 PM Amendment 182802 by Senator Rodriguez  
5:08:11 PM Questions? None  
5:09:11 PM Appearance Forms?  
5:09:15 PM Aliko Moncrief, waives in support  
5:09:29 PM Debate?  
5:09:35 PM Senator Hutson  
5:10:00 PM Senator Rodriguez waives close  
5:10:11 PM Amendment fails  
5:10:17 PM Amendment 275640 by Senator Rodriguez  
5:10:45 PM Questions? None  
5:11:22 PM Appearance Forms? None  
5:11:28 PM Debate? None  
5:11:34 PM Senator Rodriguez waives close  
5:11:42 PM Amendment fails  
5:11:48 PM Amendment 803524 by Senator Rodriguez  
5:13:06 PM Questions? None  
5:13:11 PM Appearance Forms? None  
5:13:16 PM Debate? None  
5:13:18 PM Senator Hutson  
5:13:35 PM Senator Rodriguez waives close  
5:13:42 PM Amendment fails  
5:13:50 PM  
5:14:07 PM We are now back on the strike all AM 509936 by Senator Hutson  
5:14:14 PM Senator Rodriguez  
5:14:44 PM Amendment - strike all is adopted  
5:14:55 PM On bill as amended  
5:15:00 PM Appearance Forms?  
5:15:04 PM Ashley Lukis, Keep our Constitution Clean, speaks in support  
5:16:48 PM Deborah Foote, Gov't Affairs and Pol. Dir., Sierra Club, speaks in opposition  
5:18:06 PM Ida V. Eskamani, Public Policy, New Florida Majority & Organize Florida, waives in opposition  
5:19:03 PM Jody James, Chair, Floridians for Freedom, speaking against  
5:23:11 PM Karen Woodall, Exec. Dir., Fla. Center for fiscal & Economic Policy, waives in opposition  
5:24:13 PM Barbara Devane, Fla. NOW, waives in opposition  
5:24:22 PM Nancy Luna, waives in opposition  
5:24:28 PM Brad Ashwell, State Director, All Voting is Local, waives in opposition  
5:24:40 PM Pamela Burch Fort, FL State Conference of NAACP, waives in opposition



**5:24:52 PM** Christopher Emmanuel, Policy Director, Florida Chamber of Commerce, waives in support  
**5:24:58 PM** Trish Neely, Consultant, League of Women Voters, speaking against  
**5:25:07 PM** Kara Gross, waives in opposition  
**5:26:01 PM** Sylvia Gonzales, Bus Driver, waives in opposition  
**5:27:00 PM** Laura Wagner, Exec. Dir., Opportunity For All Floridians, waives in opposition  
**5:27:10 PM** Valerie Brant-Wilson, Leg. Liaison, Indian River, waives in opposition  
**5:27:18 PM** David Ash, Common Cause Florida, waives in opposition  
**5:27:25 PM** Dr. Rich Templin, AFL-CIO, speaking against  
**5:27:37 PM** Elizabeth Brown-Davis, Teacher, waives in opposition  
**5:33:04 PM** Paula Ruffin-Jefferson, Teacher, waives in opposition  
**5:34:03 PM** Sabrina Gates, Educator, waives in opposition  
**5:34:09 PM** Jacqueline Stevens, bus driver, waives in opposition  
**5:34:18 PM** Madonna Higgs, Educator, waives in opposition  
**5:34:28 PM** Alik Moncrief, Exec. Dir., Florida Conservation Voters, speaking against  
**5:37:33 PM** Deborah Foote, waives in opposition  
**5:38:15 PM** Fred Bevis, Training Director, IATSE Local 835, waives in opposition  
**5:38:33 PM** Anthony Marciano, SGT Sheriff's Office, Boca Raton, representing self, waives in opposition  
**5:38:38 PM** Joanne Alvarez, waives in opposition  
**5:38:48 PM** Brad Ashwell, waives in opposition  
**5:38:54 PM** Tanya Bailey, Veteran Liaison, FLCAN, Veteran's Community, speaking in opposition  
**5:39:11 PM** Questions on bill as amendment?  
**5:39:17 PM** Debate on bill as amended?  
**5:39:24 PM** Senator Rodriguez  
**5:41:01 PM** Senator Braynon  
**5:44:07 PM** Chair  
**5:45:06 PM** Senator Stargel  
**5:46:33 PM** Senator Hutson to close  
**5:47:44 PM** Roll Call on CS/SB 1794 - Favorable  
**5:48:46 PM** Tab 7 - SJR 1216 by Senator Gruters -Limitation of Terms of Office for Members of a District School Board, TP'd  
**5:49:08 PM** Senators wishing to vote on bills before committee today, Senator Powell, yea on SB 1312, Senator Diaz yea on SB 1312, Tabs 1-4 yea, and Tab 5 - yea  
**5:49:57 PM** Motion is adopted  
**5:50:02 PM** Senator Diaz moves we adjourn. Is there objection? Showing none, motion is adopted.