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LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/WD/2R

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03/13/2020 03:29 PM

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Senator Brandes moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective upon becoming a law, paragraph (t) of
subsection (2) of section 97.052, Florida Statutes, is amended
to read:

97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application
must be designed to elicit the following information from the
applicant:



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12 (t)~~1~~. Whether the applicant has ~~never~~ been convicted of a
13 felony, and if convicted, has had his or her voting rights
14 restored by including the statement "I affirm I have never been
15 convicted of a felony or, if I have been, my rights relating to
16 voting have been restored." and providing a box for the
17 applicant to check to affirm the statement.

18 ~~2. Whether the applicant has been convicted of a felony,~~
19 ~~and if convicted, has had his or her civil rights restored~~
20 ~~through executive clemency, by including the statement "If I~~
21 ~~have been convicted of a felony, I affirm my voting rights have~~
22 ~~been restored by the Board of Executive Clemency."~~ and providing
23 ~~a box for the applicant to check to affirm the statement.~~

24 ~~3. Whether the applicant has been convicted of a felony~~
25 ~~and, if convicted, has had his or her voting rights restored~~
26 ~~pursuant s. 4, Art. VI of the State Constitution, by including~~
27 ~~the statement "If I have been convicted of a felony, I affirm my~~
28 ~~voting rights have been restored pursuant to s. 4, Art. VI of~~
29 ~~the State Constitution upon the completion of all terms of my~~
30 ~~sentence, including parole or probation."~~ and providing a box
31 ~~for the applicant to check to affirm the statement.~~

32 Section 2. Effective upon becoming a law, paragraph (a) of
33 subsection (5) of section 97.053, Florida Statutes, is amended
34 to read:

35 97.053 Acceptance of voter registration applications.—

36 (5) (a) A voter registration application is complete if it
37 contains the following information necessary to establish the
38 applicant's eligibility pursuant to s. 97.041, including:

- 39 1. The applicant's name.
40 2. The applicant's address of legal residence, including a



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41 distinguishing apartment, suite, lot, room, or dormitory room
42 number or other identifier, if appropriate. Failure to include a
43 distinguishing apartment, suite, lot, room, or dormitory room or
44 other identifier on a voter registration application does not
45 impact a voter's eligibility to register to vote or cast a
46 ballot, and such an omission may not serve as the basis for a
47 challenge to a voter's eligibility or reason to not count a
48 ballot.

49 3. The applicant's date of birth.

50 4. A mark in the checkbox affirming that the applicant is a
51 citizen of the United States.

52 5.a. The applicant's current and valid Florida driver
53 license number or the identification number from a Florida
54 identification card issued under s. 322.051, or

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

58
59 In case an applicant has not been issued a current and valid
60 Florida driver license, Florida identification card, or social
61 security number, the applicant shall affirm this fact in the
62 manner prescribed in the uniform statewide voter registration
63 application.

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

69 7. A mark in the checkbox affirming that the applicant has



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70 not been adjudicated mentally incapacitated with respect to
71 voting or that, if so adjudicated, has had his or her right to
72 vote restored.

73 8. The original signature or a digital signature
74 transmitted by the Department of Highway Safety and Motor
75 Vehicles of the applicant swearing or affirming under the
76 penalty for false swearing pursuant to s. 104.011 that the
77 information contained in the registration application is true
78 and subscribing to the oath required by s. 3, Art. VI of the
79 State Constitution and s. 97.051.

80 Section 3. Effective upon becoming a law, paragraphs (d),
81 (e), and (f) of subsection (1) of section 97.0585, Florida
82 Statutes, are amended to read:

83 97.0585 Public records exemption; information regarding
84 voters and voter registration; confidentiality.—

85 (1) The following information held by an agency, as defined
86 in s. 119.011, and obtained for the purpose of voter
87 registration is confidential and exempt from s. 119.07(1) and s.
88 24(a), Art. I of the State Constitution and may be used only for
89 purposes of voter registration:

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

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

96 ~~(e)-(f)~~ Paragraph (d) is Paragraphs (d) and (e) are subject
97 to the Open Government Sunset Review Act in accordance with s.
98 119.15 and shall stand repealed on October 2, 2024, unless



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99 reviewed and saved from repeal through reenactment by the
100 Legislature.

101 Section 4. Paragraph (a) of subsection (4) of section
102 106.141, Florida Statutes, is amended to read:

103 106.141 Disposition of surplus funds by candidates.—

104 (4) (a) Except as provided in paragraph (b), any candidate
105 required to dispose of funds pursuant to this section shall, at
106 the option of the candidate, dispose of such funds by any of the
107 following means, or any combination thereof:

108 1. Return pro rata to each contributor the funds that have
109 not been spent or obligated.

110 2. Donate the funds that have not been spent or obligated
111 to a charitable organization or organizations that meet the
112 qualifications of s. 501(c)(3) of the Internal Revenue Code,
113 except that the candidate may not be employed by the charitable
114 organization to which he or she donates the funds.

115 3. Give not more than \$25,000 of the funds that have not
116 been spent or obligated to the affiliated party committee or
117 political party of which such candidate is a member.

118 4. Give the funds that have not been spent or obligated:

119 a. ~~In the case of a candidate for state office,~~ To the
120 state, to be deposited in either the Election Campaign Financing
121 Trust Fund or the General Revenue Fund, as designated by the
122 candidate; or

123 b. ~~In the case of a candidate for an office of a political~~
124 ~~subdivision,~~ To a such political subdivision, to be deposited in
125 the general fund thereof.

126 Section 5. Except as otherwise expressly provided in this
127 act and except for this section, which shall take effect upon



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128 becoming a law, this act shall take effect July 1, 2020.

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

131 And the title is amended as follows:

132 Delete everything before the enacting clause
133 and insert:

134 A bill to be entitled
135 An act relating to elections; amending ss. 97.052 and
136 97.053, F.S.; revising requirements for the uniform
137 statewide voter registration application and the
138 acceptance of such applications; amending s. 97.0585,
139 F.S.; deleting an exemption from public records
140 requirements for information related to a voter
141 registration applicant's or voter's prior felony
142 conviction and his or her restoration of voting rights
143 to conform to changes made by the act; amending s.
144 106.141, F.S.; prohibiting a candidate from donating
145 surplus funds to a charitable organization that
146 employs the candidate; providing that a candidate may
147 give certain surplus funds to the state or a political
148 subdivision to be disbursed in a specified manner;
149 providing effective dates.