

By Senator Thompson

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1                   A bill to be entitled  
2       An act relating to elections; amending s. 20.10, F.S.;  
3       requiring that the Secretary of State be elected  
4       rather than appointed and serve a specified term;  
5       specifying when such election must occur; amending s.  
6       20.32, F.S.; requiring the Florida Commission on  
7       Offender Review to develop and maintain a database for  
8       a specified purpose; specifying database requirements;  
9       requiring specified entities to provide specified  
10      information to the commission on a monthly basis;  
11      requiring the Department of Management Services,  
12      acting through the Florida Digital Service, to provide  
13      technical assistance to the commission in developing  
14      and maintaining the database; authorizing the  
15      Department of Management Services to adopt rules;  
16      requiring the commission to make the database publicly  
17      available on a website by a specified date; requiring  
18      the commission to update the database monthly;  
19      requiring the commission to publish certain  
20      instructions on the website; requiring the commission  
21      to submit a certain comprehensive plan to the Governor  
22      and the Legislature by a specified date; specifying  
23      requirements for the comprehensive plan; providing  
24      that certain persons who register to vote are  
25      prohibited from being charged with certain crimes as a  
26      result of such registration or voting; requiring the  
27      commission to adopt rules; amending s. 97.021, F.S.;  
28      defining terms; repealing s. 97.022, F.S., relating to  
29      the Office of Election Crimes and Security; repealing

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30 s. 97.0291, F.S.; relating to prohibiting the use of  
31 private funds for election-related expenses; creating  
32 s. 97.0556, F.S.; authorizing a person who meets  
33 certain requirements to register to vote at an early  
34 voting site or at his or her polling place and to  
35 immediately thereafter cast a ballot; amending s.  
36 97.057, F.S.; authorizing the Department of Highway  
37 Safety and Motor Vehicles to preregister certain  
38 individuals to vote; providing that driver license or  
39 identification card applications, driver license or  
40 identification card renewal applications, and  
41 applications for changes of address for existing  
42 driver licenses or identification cards submitted to  
43 the department serve as voter registration  
44 applications; providing that an applicant is deemed to  
45 have consented to the use of his or her signature for  
46 voter registration purposes unless a declination is  
47 made; requiring that specified applications include a  
48 voter registration component, subject to approval by  
49 the Department of State; providing requirements for  
50 the voter registration component; requiring the  
51 Department of Highway Safety and Motor Vehicles to  
52 electronically transmit voter registration information  
53 to the Department of State within a specified  
54 timeframe; requiring the Department of State to  
55 provide such information to supervisors of elections;  
56 deleting obsolete language; making technical changes;  
57 amending s. 97.0575, F.S.; revising the information a  
58 third-party voter registration organization is

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59 required to provide to the Department of State;  
60 deleting a provision that provides for the expiration  
61 of such organization's registration at the conclusion  
62 of the general election cycle for which the  
63 organization is registered; deleting provisions  
64 requiring such organizations to provide a specified  
65 receipt to applicants; revising the timeframe within  
66 which such organizations must deliver completed  
67 applications to the Division of Elections or a  
68 supervisor of elections; revising certain penalties;  
69 deleting the aggregate limit of such penalties;  
70 deleting provisions providing criminal and  
71 administrative penalties; deleting provisions  
72 requiring the division to adopt certain rules;  
73 deleting provisions that prohibit providing applicants  
74 a pre-filled voter registration application and a  
75 specified fine for such action; deleting provisions  
76 providing criminal penalties for the unlawful copying  
77 of voter registration applications or retaining of a  
78 voter's personal information; deleting provisions  
79 providing for retroactive application; creating part  
80 III of ch. 97, F.S., entitled "Florida Voting Rights  
81 Act"; creating s. 97.21, F.S.; prohibiting local  
82 governments, state agencies, and state officials from  
83 implementing or enforcing actions that result in, will  
84 result in, or are intended to result in specified  
85 disparities or impairments; providing that a  
86 rebuttable presumption exists that a violation  
87 occurred in specified circumstances; prohibiting any

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88 method of election that has the effect, or is  
89 motivated in part by the intent, of impairing the  
90 opportunity or ability of certain voters to  
91 participate in the political process and elect  
92 candidates of their choosing or influence the outcome  
93 of elections; specifying actions that constitute  
94 violations of such provision; requiring courts to  
95 adhere to specified guidelines to determine whether  
96 racially polarized voting by protected members  
97 occurred; requiring courts to consider certain factors  
98 when determining whether an impairment of the right to  
99 vote for a protected class member or the opportunity  
100 or ability to participate in the political process and  
101 elect a candidate of their choosing has occurred;  
102 providing that a particular combination or number of  
103 such factors is not necessary to determine that an  
104 impairment occurred; specifying that the court may  
105 only consider certain factors; specifying when such  
106 factors are most probative; providing factors that the  
107 court may consider; prohibiting the court from  
108 considering certain factors; requiring a prospective  
109 plaintiff, before filing a certain action against a  
110 local government, to send a notification letter, by  
111 specified means, to the local government; prohibiting  
112 a party from filing an action under specified  
113 circumstances; authorizing a local government to adopt  
114 a specified resolution within a specified timeframe;  
115 providing that if the proposed remedy in such  
116 resolution is barred by state or local law, it may be

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117 approved by the Florida Voting Rights Act Commission,  
118 if certain conditions are met; authorizing a party who  
119 sent a notification letter to seek reimbursement from  
120 the local government under specified circumstances;  
121 authorizing a party to bring a cause of action for a  
122 specified violation under specified circumstances;  
123 requiring local governments to take certain action;  
124 requiring the commission to post notification letters  
125 and resolutions on its website; authorizing the  
126 commission to adopt certain rules; prohibiting local  
127 governments from asserting specified defenses;  
128 authorizing specified entities to file certain  
129 enforcement actions; creating s. 97.22, F.S.; creating  
130 the Florida Voting Rights Act Commission within the  
131 Department of State; providing that such commission is  
132 a separate budget entity and must submit a budget in  
133 accordance with specified provisions; providing duties  
134 and responsibilities of the commission; providing for  
135 the composition of the commission; providing that such  
136 commissioners serve staggered terms; requiring that  
137 commissioners be compensated at a specified hourly  
138 rate; requiring the formation of a nominating  
139 committee; providing for the appointment and removal  
140 of nominating committee members; requiring the  
141 nominating committee to select a chair; requiring  
142 commissioners to be selected using a specified  
143 process; requiring commissioners to initially be  
144 selected by lot and randomly assigned term lengths for  
145 purposes of achieving staggered terms; authorizing the

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146 commission to take specified actions in any action or  
147 investigation to enforce specified provisions;  
148 authorizing the commission to hire staff and make  
149 expenditures for a specified purpose; authorizing the  
150 commission to adopt rules; creating s. 97.23, F.S.;  
151 requiring the commission to enter into agreements with  
152 one or more postsecondary educational institutions to  
153 create the Florida Voting and Elections Database and  
154 Institute for a specified purpose; requiring the  
155 parties to the agreement to enter into a memorandum of  
156 understanding to select a director; authorizing the  
157 database and institute to perform specified actions;  
158 requiring the database and institute to make election  
159 and voting data records for a specified timeframe  
160 available to the public at no cost and to maintain  
161 such records in an electronic format; requiring the  
162 database and institute to use certain methodologies  
163 when preparing estimates; providing the data and  
164 records that must be maintained; requiring state  
165 agencies and local governments to provide any  
166 information requested by the director of the database  
167 and institute; requiring local governments to transmit  
168 specified information to the database and institute  
169 within a certain timeframe; requiring specified  
170 entities to annually provide processing data,  
171 statistics, and other information to the database and  
172 institute; authorizing specified entities to file  
173 enforcement actions; providing that such claim may be  
174 filed in accordance with the Florida Rules of Civil

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175 Procedure in a specified venue; requiring the database  
176 and institute to publish a certain report; requiring  
177 the database and institute to provide nonpartisan  
178 technical assistance to specified entities; providing  
179 that a rebuttable presumption exists that data,  
180 estimates, or other information from the database and  
181 institute is valid; creating s. 97.24, F.S.; defining  
182 terms; requiring the commission to designate languages  
183 other than English for which language assistance must  
184 be provided by a local government, if certain  
185 conditions exist; providing the circumstances under  
186 which the commission must designate languages other  
187 than English for voting and elections; requiring the  
188 commission to annually publish specified information  
189 on its website; requiring local governments to provide  
190 language assistance for specified purposes if the  
191 commission makes a certain determination; specifying  
192 the materials that must be provided in such language;  
193 requiring that certain information be given orally to  
194 voters; requiring that translated materials convey a  
195 specified intent and meaning; prohibiting local  
196 governments from relying on automatic translation  
197 services; requiring that live translation be used if  
198 available; requiring the commission to adopt specified  
199 rules; authorizing specified entities to file  
200 enforcement actions; requiring that such actions be  
201 filed in accordance with the Florida Rules of Civil  
202 Procedure or in a specified venue; creating s. 97.25,  
203 F.S.; providing that the enactment or implementation

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204 of a covered policy by a covered jurisdiction is  
205 subject to preclearance by the commission; specifying  
206 actions by a local government which are a covered  
207 policy; specifying which local governments are a  
208 covered jurisdiction; requiring the commission to  
209 annually determine and publish a list of local  
210 governments that are covered jurisdictions on its  
211 website; requiring a covered jurisdiction, if seeking  
212 preclearance, to submit the covered policy to the  
213 commission in writing; requiring the commission to  
214 review the covered policy and grant or deny  
215 preclearance; providing that the covered jurisdiction  
216 bears the burden of proof in the preclearance process;  
217 requiring the commission to provide a written  
218 explanation for the denial; providing that the  
219 commission may deny preclearance only if it makes a  
220 certain determination; providing that if preclearance  
221 is denied, the covered policy may not be implemented;  
222 authorizing a covered jurisdiction to immediately  
223 implement or enact a covered policy granted  
224 preclearance; providing that such determination is not  
225 admissible or may not be considered by a court in a  
226 subsequent action challenging the covered policy;  
227 providing that a covered policy is deemed precleared  
228 and may be implemented or enacted by the covered  
229 jurisdiction if the commission fails to approve or  
230 deny the covered policy within specified timeframes;  
231 requiring the commission to grant or deny preclearance  
232 within specified timeframes; authorizing the

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233 commission to invoke a specified number of extensions  
234 of a specified timeframe to determine preclearance;  
235 providing that any denial of preclearance may be  
236 appealed only by the covered jurisdiction in a  
237 specified venue; authorizing specified entities to  
238 enjoin the enactment or implementation of specified  
239 policies and seek sanctions against covered  
240 jurisdictions in specified circumstances; authorizing  
241 specified entities to file enforcement actions;  
242 specifying that such actions must be filed in  
243 accordance with the Florida Rules of Civil Procedure  
244 or in a specified venue; requiring the commission to  
245 adopt rules; creating s. 97.26, F.S.; prohibiting a  
246 person from engaging in acts of intimidation,  
247 deception, obstruction, or any other tactic that has  
248 the effect, or will reasonably have the effect, of  
249 interfering with another person's right to vote;  
250 specifying acts that are deemed a violation; providing  
251 a rebuttable presumption; authorizing specified  
252 entities to file a civil action to enforce specified  
253 provisions; creating s. 97.27, F.S.; providing  
254 construction; providing applicability; creating s.  
255 97.28, F.S.; requiring a court to order specified  
256 appropriate remedies for violations of the act;  
257 requiring the court to consider remedies proposed by  
258 specified parties; prohibiting the court from giving  
259 deference to a remedy proposed by the state or local  
260 government; providing that the court is empowered to  
261 require local governments to implement certain

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262 remedies under specified conditions; requiring the  
263 courts to grant a temporary injunction or other  
264 preliminary relief requested under specified  
265 conditions; requiring the court to award attorney fees  
266 and litigation costs in actions to enforce specified  
267 provisions; amending s. 98.045, F.S.; conforming a  
268 cross-reference; creating s. 100.51, F.S.;  
269 establishing General Election Day as a paid holiday;  
270 providing that a voter may absent himself or herself  
271 from service or employment at a specific time on a  
272 General Election Day and may not be penalized or have  
273 salary or wages reduced for such absence; creating s.  
274 101.016, F.S.; requiring the Division of Elections to  
275 maintain a strategic elections equipment reserve of  
276 voting systems and other equipment for specified  
277 purposes; requiring that such reserve include  
278 specified equipment; authorizing the division to  
279 contract with specified entities rather than  
280 physically maintain such reserve; repealing s.  
281 101.019, F.S., relating to the prohibition on ranked  
282 choice voting; amending s. 101.048, F.S.; providing  
283 that a voter may cast a provisional ballot at any  
284 precinct in the county in which the voter claims to be  
285 registered; making technical changes; amending s.  
286 101.62, F.S.; providing that a request for a vote-by-  
287 mail ballot is valid until the voter cancels the  
288 request; revising the timeframe during which the  
289 supervisor must mail vote-by-mail ballots before  
290 election day; deleting requirements for a person

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291 designated by an elector to pick up the elector's  
292 vote-by-mail ballot; providing for extension of  
293 deadlines under certain conditions; amending s.  
294 101.64, F.S.; requiring supervisors of elections to  
295 enclose a postage prepaid mailing envelope with each  
296 vote-by-mail ballot; providing that vote-by-mail  
297 ballot voter certificates may be signed with the last  
298 four digits of the voter's social security number;  
299 making technical changes; amending s. 101.65, F.S.;  
300 revising the instructions that must be provided with a  
301 vote-by-mail ballot; amending s. 101.68, F.S.;  
302 requiring supervisors of elections to compare the  
303 signature or last four digits of the social security  
304 number on a voter's certificate with the signature or  
305 last four digits of the social security number in the  
306 registration books or precinct register when  
307 canvassing a vote-by-mail ballot; requiring a  
308 canvassing board to compare the signature or last four  
309 digits of the social security number on a voter's  
310 certificate or vote-by-mail ballot cure affidavit with  
311 the signature or last four digits of the social  
312 security number in the registration books or precinct  
313 register when canvassing a vote-by-mail ballot;  
314 deleting the authorization for certain persons to file  
315 a protest against the canvass of a ballot; amending s.  
316 101.69, F.S.; deleting provisions providing that  
317 specified secure ballot intake stations be used only  
318 during specified timeframes and be monitored by an  
319 employee of the supervisor's office; requiring that

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320 secure ballot intake stations be monitored by the  
321 supervisor's office during specified timeframes  
322 instead of continuously monitored in person; deleting  
323 a provision authorizing a certain civil penalty;  
324 amending s. 104.42, F.S.; conforming a provision to  
325 changes made by the act; providing an effective date.  
326

327 WHEREAS, Harry T. and Harriette V. Moore were the first  
328 true civil rights activists of the modern civil rights era in  
329 this state, and

330 WHEREAS, the Moores, and the organizations they helped  
331 found and lead, were instrumental in registering more than  
332 100,000 black voters in this state, and

333 WHEREAS, the Moores paid the ultimate price for the  
334 freedoms they fought to secure for their community when members  
335 of the Ku Klux Klan bombed their home in Mims on Christmas Day  
336 in 1951, and

337 WHEREAS, at the time of their death, Florida had the most  
338 registered black voters, outpacing any other state in the South,  
339 and

340 WHEREAS, the purpose of this act is to encourage maximum  
341 participation of all eligible voters in this state's electoral  
342 process, and

343 WHEREAS, electoral systems that deny race, color, or  
344 language minority groups an equal opportunity to elect  
345 candidates of their choice and influence the outcome of an  
346 election are inconsistent with the right to equal treatment  
347 before the law as provided in Articles I and II of the State  
348 Constitution as well as protections found in the 14th and 15th

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349 Amendments to the United States Constitution, and

350 WHEREAS, this act expands voting rights granted under the  
351 federal Voting Rights Act of 1965 and reaffirms the well-  
352 established principle of "one person, one vote," and

353 WHEREAS, following decisions by the United States Supreme  
354 Court in *Shelby County v. Holder* and *Brnovich v. Democratic*  
355 *National Committee*, the landmark Voting Rights Act of 1965 has  
356 been severely diminished in its ability to protect the freedom  
357 and opportunity of black and brown voters to fully participate  
358 in the political process of our democratic republic, and

359 WHEREAS, this act builds on the historical work of the  
360 named and nameless Floridians who fought for their right to the  
361 elective franchise, NOW, THEREFORE,

362

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

364

365 Section 1. Subsection (1) of section 20.10, Florida  
366 Statutes, is amended to read:

367 20.10 Department of State.—There is created a Department of  
368 State.

369 (1) The head of the Department of State is the Secretary of  
370 State. The Secretary of State shall be elected at the statewide  
371 general election at which the Governor, Lieutenant Governor, and  
372 Cabinet officers are elected as provided in s. 5, Art. IV of the  
373 State Constitution, for a term of 4 years beginning on the first  
374 Tuesday after the first Monday in January of the year following  
375 such election ~~appointed by the Governor, subject to confirmation~~  
376 ~~by the Senate, and shall serve at the pleasure of the Governor.~~

377 The Secretary of State shall perform the functions conferred by

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378 the State Constitution upon the custodian of state records.

379 Section 2. Subsection (4) is added to section 20.32,  
380 Florida Statutes, to read:

381 20.32 Florida Commission on Offender Review.—

382 (4) (a) For the purpose of assisting a person who has been  
383 disqualified from voting based on a felony conviction other than  
384 murder or a felony sexual offense in determining whether he or  
385 she has met the requirements under s. 98.0751 to have his or her  
386 voting rights restored pursuant to s. 4, Art. VI of the State  
387 Constitution, the commission shall develop and maintain a  
388 database that contains for each such person all of the following  
389 information:

390 1. His or her name and any other personal identifying  
391 information.

392 2. The remaining length of any term of supervision,  
393 including, but not limited to, probation, community control, or  
394 parole, ordered by a court as part of his or her sentence.

395 3. The remaining amount of any restitution owed to a victim  
396 as ordered by a court as part of his or her sentence.

397 4. The remaining amount due of any fines or fees that were  
398 initially ordered by a court as part of his or her sentence or  
399 as a condition of any form of supervision, including, but not  
400 limited to, probation, community control, or parole.

401 5. The completion status of any other term ordered by a  
402 court as a part of his or her sentence.

403 6. Any other information needed to determine whether he or  
404 she has met the requirements for restoration of voting rights  
405 under s. 98.0751.

406 (b) The Department of State, the Department of Corrections,

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407 the clerks of the circuit court, the county comptrollers, and  
408 the Board of Executive Clemency shall provide to the commission  
409 on a monthly basis any information required under paragraph (a).

410 (c) The Department of Management Services, acting through  
411 the Florida Digital Service, shall provide any technical  
412 assistance necessary for the commission to develop and maintain  
413 the database. The Department of Management Services may adopt  
414 rules governing the provision of such assistance.

415 (d) By July 1, 2026, the commission shall make the database  
416 available on a public website. The commission must update the  
417 database monthly with the information received from each  
418 governmental entity under paragraph (b). The commission shall  
419 publish on the website clear instructions that a person who has  
420 been disqualified from voting based on a felony conviction other  
421 than murder or felony sexual offense may follow to have his or  
422 her voting rights restored and to register to vote.

423 (e) By July 1, 2024, the commission shall provide a  
424 comprehensive plan to the Governor, the President of the Senate,  
425 and the Speaker of the House of Representatives which includes  
426 all of the following:

427 1. The governmental entities from which and the methods by  
428 which the commission shall collect, centralize, analyze, and  
429 secure the information required to be included in the database.

430 2. A description of any infrastructure and services,  
431 including, but not limited to, software, hardware, and  
432 information technology services, which may be necessary to  
433 create and maintain the database.

434 3. The anticipated number of additional employees necessary  
435 for:

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- 436       a. The commission to develop and maintain the database.  
437       b. A governmental entity to provide the information  
438 required under paragraph (b).  
439       c. The Florida Digital Service to provide the assistance  
440 required under paragraph (c).  
441       4. The anticipated cost to initially develop the database;  
442 the annual cost to maintain the database; and the annual  
443 appropriation required to fund the anticipated costs incurred by  
444 the commission, each governmental entity, and the Florida  
445 Digital Service.  
446       5. Any legal authority necessary for the commission to  
447 develop and maintain the database.  
448       6. Draft legislation to implement the comprehensive plan.  
449       (f) Notwithstanding any other law, a person who registers  
450 to vote or who votes in reasonable reliance on information  
451 contained in the database indicating that his or her voting  
452 rights have been restored pursuant to s. 4, Art. VI of the State  
453 Constitution has an affirmative right to register and to vote  
454 and may not be charged with a violation of any criminal law of  
455 this state related to fraudulently voting or registering to  
456 vote.  
457       (g) The commission shall adopt rules to implement this  
458 subsection.

459       Section 3. Section 97.021, Florida Statutes, is amended to  
460 read:

461       97.021 Definitions.—For the purposes of this code, except  
462 where the context clearly indicates otherwise, the term:

463       (1) "Absent elector" means any registered and qualified  
464 voter who casts a vote-by-mail ballot.

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465 (2) "Absent uniformed services voter" means:

466 (a) A member of a uniformed service on active duty who, by  
467 reason of such active duty, is absent from the place of  
468 residence where the member is otherwise qualified to vote;

469 (b) A member of the merchant marine who, by reason of  
470 service in the merchant marine, is absent from the place of  
471 residence where the member is otherwise qualified to vote; or

472 (c) A spouse or dependent of a member referred to in  
473 paragraph (a) or paragraph (b) who, by reason of the active duty  
474 or service of the member, is absent from the place of residence  
475 where the spouse or dependent is otherwise qualified to vote.

476 (3) "Address of legal residence" means the legal  
477 residential address of the elector and includes all information  
478 necessary to differentiate one residence from another,  
479 including, but not limited to, a distinguishing apartment,  
480 suite, lot, room, or dormitory room number or other identifier.

481 (4) "Alternative formats" has the meaning ascribed in the  
482 Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 42  
483 U.S.C. ss. 12101 et seq., including specifically the technical  
484 assistance manuals promulgated thereunder, as amended.

485 (5) "Alternative method election" means a method of  
486 electing candidates to the legislative body of a local  
487 government other than an at-large method of election or a  
488 district-based method of election, and includes, but is not  
489 limited to, proportional ranked-choice voting, cumulative  
490 voting, and limited voting.

491 (6) (a) "At-large method of election" means any of the  
492 following methods of electing members to the governing body of a  
493 political subdivision:

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494 1. One in which the voters of the entire jurisdiction elect  
495 the members of the governing body.

496 2. One in which the candidates are required to reside  
497 within specified areas of the jurisdiction and the voters of the  
498 entire jurisdiction elect the members of the governing body.

499 3. One which combines at-large elections with district-  
500 based elections.

501 (b) The term does not include any alternative method of  
502 election.

503 (7) "Automatic tabulating equipment" means an apparatus  
504 that automatically examines, counts, and records votes.

505 (8)~~(6)~~ "Ballot" or "official ballot" when used in reference  
506 to:

507 (a) "Electronic or electromechanical devices" means a  
508 ballot that is voted by the process of electronically  
509 designating, including by touchscreen, or marking with a marking  
510 device for tabulation by automatic tabulating equipment or data  
511 processing equipment.

512 (b) "Marksense ballots" means that printed sheet of paper,  
513 used in conjunction with an electronic or electromechanical vote  
514 tabulation voting system, containing the names of candidates, or  
515 a statement of proposed constitutional amendments or other  
516 questions or propositions submitted to the electorate at any  
517 election, on which sheet of paper an elector casts his or her  
518 vote.

519 (9)~~(7)~~ "Candidate" means any person to whom any one or more  
520 of the following applies:

521 (a) Any person who seeks to qualify for nomination or  
522 election by means of the petitioning process.

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523 (b) Any person who seeks to qualify for election as a  
524 write-in candidate.

525 (c) Any person who receives contributions or makes  
526 expenditures, or gives his or her consent for any other person  
527 to receive contributions or make expenditures, with a view to  
528 bringing about his or her nomination or election to, or  
529 retention in, public office.

530 (d) Any person who appoints a treasurer and designates a  
531 primary depository.

532 (e) Any person who files qualification papers and  
533 subscribes to a candidate's oath as required by law.

534  
535 However, this definition does not include any candidate for a  
536 political party executive committee.

537 (10) "Database and institute" means the Florida Voting and  
538 Elections Database and Institute.

539 (11)~~(8)~~ "Department" means the Department of State.

540 (12) "District-based method of election" means a method of  
541 electing candidates to the legislative body of a local  
542 government in which, for counties or municipalities divided into  
543 districts, a candidate for any such district is required to  
544 reside in the district and candidates representing or seeking to  
545 represent the district are voted upon by only the voters of that  
546 district.

547 (13)~~(9)~~ "Division" means the Division of Elections of the  
548 Department of State.

549 (14)~~(10)~~ "Early voting" means casting a ballot prior to  
550 election day at a location designated by the supervisor of  
551 elections and depositing the voted ballot in the tabulation

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552 system.

553 (15)~~(11)~~ "Early voting area" means the area designated by  
554 the supervisor of elections at an early voting site at which  
555 early voting activities occur, including, but not limited to,  
556 lines of voters waiting to be processed, the area where voters  
557 check in and are processed, and the area where voters cast their  
558 ballots.

559 (16)~~(12)~~ "Early voting site" means those locations  
560 specified in s. 101.657 and the building in which early voting  
561 occurs.

562 (17)~~(13)~~ "Election" means any primary election, special  
563 primary election, special election, general election, or  
564 presidential preference primary election.

565 (18)~~(14)~~ "Election board" means the clerk and inspectors  
566 appointed to conduct an election.

567 (19)~~(15)~~ "Election costs" shall include, but not be limited  
568 to, expenditures for all paper supplies such as envelopes,  
569 instructions to voters, affidavits, reports, ballot cards,  
570 ballot booklets for vote-by-mail voters, postage, notices to  
571 voters; advertisements for registration book closings, testing  
572 of voting equipment, sample ballots, and polling places; forms  
573 used to qualify candidates; polling site rental and equipment  
574 delivery and pickup; data processing time and supplies; election  
575 records retention; and labor costs, including those costs  
576 uniquely associated with vote-by-mail ballot preparation, poll  
577 workers, and election night canvass.

578 (20)~~(16)~~ "Elector" is synonymous with the word "voter" or  
579 "qualified elector or voter," except where the word is used to  
580 describe presidential electors.

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581       (21) "Federal Voting Rights Act" means the federal Voting  
582 Rights Act of 1965, 52 U.S.C. s. 10301 et seq., as amended.

583       (22) "FLVRA Commission" means the Florida Voting Rights Act  
584 Commission.

585       ~~(23)~~ ~~(17)~~ "General election" means an election held on the  
586 first Tuesday after the first Monday in November in the even-  
587 numbered years, for the purpose of filling national, state,  
588 county, and district offices and for voting on constitutional  
589 amendments not otherwise provided for by law.

590       (24) "Government enforcement action" means any denial of  
591 administrative or judicial preclearance by the state or the  
592 Federal Government; pending litigation filed by a state or  
593 federal entity; or final judgment or adjudication, consent  
594 decree, or other similar formal action.

595       (25) "Legislative body" means the commission, council,  
596 school board, or other similar body, by whatever name known, of  
597 local government.

598       ~~(26)~~ ~~(18)~~ "Lists of registered electors" means names and  
599 associated information of registered electors maintained by the  
600 department in the statewide voter registration system or  
601 generated or derived from the statewide voter registration  
602 system. Lists may be produced in printed or electronic format.

603       (27) "Local government" means any county, municipality,  
604 school district, special district, supervisor of elections or  
605 other governmental entity that administers elections, or any  
606 other political subdivision in the state in which elections are  
607 conducted.

608       ~~(28)~~ ~~(19)~~ "Member of the Merchant Marine" means an  
609 individual, other than a member of a uniformed service or an

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610 individual employed, enrolled, or maintained on the Great Lakes  
611 for the inland waterways, who is:

612 (a) Employed as an officer or crew member of a vessel  
613 documented under the laws of the United States, a vessel owned  
614 by the United States, or a vessel of foreign-flag registry under  
615 charter to or control of the United States; or

616 (b) Enrolled with the United States for employment or  
617 training for employment, or maintained by the United States for  
618 emergency relief service, as an officer or crew member of such  
619 vessel.

620 (29)~~(20)~~ "Minor political party" is any group as specified  
621 in s. 103.095 which on January 1 preceding a primary election  
622 does not have registered as members 5 percent of the total  
623 registered electors of the state.

624 (30)~~(21)~~ "Newspaper of general circulation" means a  
625 newspaper printed in the language most commonly spoken in the  
626 area within which it circulates and which is readily available  
627 for purchase by all inhabitants in the area of circulation, but  
628 does not include a newspaper intended primarily for members of a  
629 particular professional or occupational group, a newspaper the  
630 primary function of which is to carry legal notices, or a  
631 newspaper that is given away primarily to distribute  
632 advertising.

633 (31)~~(22)~~ "Nominal value" means having a retail value of \$10  
634 or less.

635 (32)~~(23)~~ "Nonpartisan office" means an office for which a  
636 candidate is prohibited from campaigning or qualifying for  
637 election or retention in office based on party affiliation.

638 (33)~~(24)~~ "Office that serves persons with disabilities"

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639 means any state office that takes applications either in person  
640 or over the telephone from persons with disabilities for any  
641 program, service, or benefit primarily related to their  
642 disabilities.

643 (34) "Organization" means a person other than an  
644 individual.

645 (35)~~(25)~~ "Overseas voter" means:

646 (a) An absent uniformed services voter who, by reason of  
647 active duty or service, is absent from the United States on the  
648 date of the election involved;

649 (b) A person who resides outside the United States and is  
650 qualified to vote in the last place in which the person was  
651 domiciled before leaving the United States; or

652 (c) A person who resides outside the United States and, but  
653 for such residence, would be qualified to vote in the last place  
654 in which the person was domiciled before leaving the United  
655 States.

656 (36)~~(26)~~ "Overvote" means that the elector marks or  
657 designates more names than there are persons to be elected to an  
658 office or designates more than one answer to a ballot question,  
659 and the tabulator records no vote for the office or question.

660 (37)~~(27)~~ "Persons with disabilities" means individuals who  
661 have a physical or mental impairment that substantially limits  
662 one or more major life activities.

663 (38)~~(28)~~ "Petition circulator" means an entity or  
664 individual who collects signatures for compensation for the  
665 purpose of qualifying a proposed constitutional amendment for  
666 ballot placement.

667 (39)~~(29)~~ "Polling place" is the building which contains the

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668 polling room where ballots are cast.

669 ~~(40)-(30)~~ "Polling room" means the actual room in which  
670 ballots are cast on election day and during early voting.

671 ~~(41)-(31)~~ "Primary election" means an election held  
672 preceding the general election for the purpose of nominating a  
673 party nominee to be voted for in the general election to fill a  
674 national, state, county, or district office.

675 (42) "Protected class" means a class of citizens who are  
676 members of a race, color, or language minority group, as  
677 referenced in the federal Voting Rights Act.

678 ~~(43)-(32)~~ "Provisional ballot" means a conditional ballot,  
679 the validity of which is determined by the canvassing board.

680 ~~(44)-(33)~~ "Public assistance" means assistance provided  
681 through the food assistance program under the federal  
682 Supplemental Nutrition Assistance Program; the Medicaid program;  
683 the Special Supplemental Food Program for Women, Infants, and  
684 Children; and the Temporary Cash Assistance Program.

685 ~~(45)-(34)~~ "Public office" means any federal, state, county,  
686 municipal, school, or other district office or position which is  
687 filled by vote of the electors.

688 ~~(46)-(35)~~ "Qualifying educational institution" means any  
689 public or private educational institution receiving state  
690 financial assistance which has, as its primary mission, the  
691 provision of education or training to students who are at least  
692 18 years of age, provided such institution has more than 200  
693 students enrolled in classes with the institution and provided  
694 that the recognized student government organization has  
695 requested this designation in writing and has filed the request  
696 with the office of the supervisor of elections in the county in

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697 which the institution is located.

698 (47) "Racially polarized voting" means voting in which the  
699 candidate or electoral choice preferred by protected class  
700 members diverges from the candidate or electoral choice  
701 preferred by voters who are not protected class members.

702 (48)~~(36)~~ "Special election" is a special election called  
703 for the purpose of voting on a party nominee to fill a vacancy  
704 in the national, state, county, or district office.

705 (49)~~(37)~~ "Special primary election" is a special nomination  
706 election designated by the Governor, called for the purpose of  
707 nominating a party nominee to be voted on in a general or  
708 special election.

709 (50)~~(38)~~ "Supervisor" means the supervisor of elections.

710 (51)~~(39)~~ "Tactile input device" means a device that  
711 provides information to a voting system by means of a voter  
712 touching the device, such as a keyboard, and that complies with  
713 the requirements of s. 101.56062(1)(k) and (l).

714 (52)~~(40)~~ "Third-party registration organization" means any  
715 person, entity, or organization soliciting or collecting voter  
716 registration applications. A third-party voter registration  
717 organization does not include:

718 (a) A person who seeks only to register to vote or collect  
719 voter registration applications from that person's spouse,  
720 child, or parent; or

721 (b) A person engaged in registering to vote or collecting  
722 voter registration applications as an employee or agent of the  
723 division, supervisor of elections, Department of Highway Safety  
724 and Motor Vehicles, or a voter registration agency.

725 (53)~~(41)~~ "Undervote" means that the elector does not

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726 properly designate any choice for an office or ballot question,  
727 and the tabulator records no vote for the office or question.

728 (54)~~(42)~~ "Uniformed services" means the Army, Navy, Air  
729 Force, Marine Corps, Space Force, and Coast Guard, the  
730 commissioned corps of the Public Health Service, and the  
731 commissioned corps of the National Oceanic and Atmospheric  
732 Administration.

733 (55) "Vote" or "voting" includes any action necessary to  
734 cast a ballot and make such ballot effective in any election or  
735 primary election, including, but not limited to, voter  
736 registration, requesting a vote-by-mail ballot, and any other  
737 action required by law as a prerequisite to casting a ballot and  
738 having such ballot counted, canvassed, or certified properly and  
739 included in the appropriate totals of votes cast with respect to  
740 candidates for election or nomination and to referendum  
741 questions.

742 (56)~~(43)~~ "Voter interface device" means any device that  
743 communicates voting instructions and ballot information to a  
744 voter and allows the voter to select and vote for candidates and  
745 issues. A voter interface device may not be used to tabulate  
746 votes. Any vote tabulation must be based upon a subsequent scan  
747 of the marked marksense ballot or the voter-verifiable paper  
748 output after the voter interface device process has been  
749 completed.

750 (57)~~(44)~~ "Voter registration agency" means any office that  
751 provides public assistance, any office that serves persons with  
752 disabilities, any center for independent living, or any public  
753 library.

754 (58)~~(45)~~ "Voter registration official" means any supervisor

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755 of elections or individual authorized by the Secretary of State  
756 to accept voter registration applications and execute updates to  
757 the statewide voter registration system.

758 (59)~~(46)~~ "Voting booth" or "booth" means that booth or  
759 enclosure wherein an elector casts his or her ballot for  
760 tabulation by an electronic or electromechanical device.

761 (60)~~(47)~~ "Voting system" means a method of casting and  
762 processing votes that functions wholly or partly by use of  
763 electromechanical or electronic apparatus or by use of marksense  
764 ballots and includes, but is not limited to, the procedures for  
765 casting and processing votes and the programs, operating  
766 manuals, supplies, printouts, and other software necessary for  
767 the system's operation.

768  
769 Terms used in this code which are not defined in this section  
770 but are used in the federal Voting Rights Act and interpreted in  
771 relevant case law, including, but not limited to, "political  
772 process" and "prerequisite to voting," must be construed in a  
773 manner consistent with such usage and interpretation.

774 Section 4. Section 97.022, Florida Statutes, is repealed.

775 Section 5. Section 97.0291, Florida Statutes, is repealed.

776 Section 6. Section 97.0556, Florida Statutes, is created to  
777 read:

778 97.0556 Same-day voter registration.—A person who meets the  
779 qualifications specified in s. 97.041 to register to vote and  
780 who provides the information required for the statewide voter  
781 registration application in s. 97.052 may register at an early  
782 voting site or at his or her polling place and immediately  
783 thereafter cast a ballot.

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784 Section 7. Section 97.057, Florida Statutes, is amended to  
785 read:

786 97.057 Voter registration by the Department of Highway  
787 Safety and Motor Vehicles.—

788 (1) (a) Each of the following serves as an application ~~The~~  
789 ~~Department of Highway Safety and Motor Vehicles shall provide~~  
790 ~~the opportunity to preregister to vote, register to vote, or to~~  
791 ~~update a voter registration record when submitted to the~~  
792 ~~Department of Highway Safety and Motor Vehicles to each~~  
793 ~~individual who comes to an office of that department to:~~

794 1. (a) An application for or renewal of ~~Apply for or renew a~~  
795 ~~driver license;~~

796 2. (b) An application for or renewal of ~~Apply for or renew~~  
797 ~~an identification card pursuant to chapter 322; or~~

798 3. (e) An application for a change of an ~~an~~ address on an  
799 existing driver license or identification card.

800 (b) Unless the applicant declines to register or  
801 preregister to vote, he or she is deemed to have consented to  
802 the use of the signature from his or her driver license or  
803 identification card application for voter registration purposes.

804 (2) An application for a driver license or an  
805 identification card must include a voter registration component.  
806 The voter registration component must be approved by the  
807 Department of State and must include all of the following:

808 (a) The minimum amount of information necessary to prevent  
809 duplicate voter registrations and to preserve the ability of the  
810 department and supervisors of elections to assess the  
811 eligibility of the applicant and administer voter registration  
812 and other provisions of this code.

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813       (b) A statement setting forth voting eligibility  
814 requirements.

815       (c) An explanation that the applicant is consenting to the  
816 use of his or her signature from the applicant's driver license  
817 or identification card application for voter registration  
818 purposes. By consenting to the use of his or her signature, the  
819 applicant is deemed to have subscribed to the oath required by  
820 s. 3, Art. VI of the State Constitution and s. 97.051 and to  
821 have sworn and affirmed that the voter registration information  
822 contained in the application is true under penalty for false  
823 swearing pursuant to s. 104.011.

824       (d) An option that allows the applicant to choose or update  
825 a party affiliation; otherwise, an applicant who is initially  
826 registering to vote and does not exercise such option must be  
827 sent a notice by the supervisor of elections in accordance with  
828 s. 97.053(5) (b) .

829       (e) An option that allows the applicant to decline to  
830 register to vote or preregister to vote. The Department of  
831 Highway Safety and Motor Vehicles shall note any such  
832 declination in its records and forward the declination to the  
833 Department of State. Any declination may be used only for voter  
834 registration purposes and is confidential and exempt from public  
835 records requirements as provided in s. 97.0585.

836       (3) The Department of Highway Safety and Motor Vehicles  
837 shall:

838       (a) Develop a voter registration component for applications  
839 which meets the requirements set forth in subsection (2).

840       (b) Electronically transmit the voter registration  
841 component of an applicant's driver license or identification

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842 card application to the Department of State within 24 hours  
843 after receipt. Upon receipt of the voter registration component,  
844 the Department of State shall provide the information to the  
845 supervisor of the county in which the applicant is registering  
846 or preregistering to vote or updating his or her voter  
847 registration record.

848 ~~(2) The Department of Highway Safety and Motor Vehicles~~  
849 ~~shall:~~

850 ~~(a) Notify each individual, orally or in writing, that:~~

851 ~~1. Information gathered for the completion of a driver~~  
852 ~~license or identification card application, renewal, or change~~  
853 ~~of address can be automatically transferred to a voter~~  
854 ~~registration application;~~

855 ~~2. If additional information and a signature are provided,~~  
856 ~~the voter registration application will be completed and sent to~~  
857 ~~the proper election authority;~~

858 ~~3. Information provided can also be used to update a voter~~  
859 ~~registration record;~~

860 ~~4. All declinations will remain confidential and may be~~  
861 ~~used only for voter registration purposes; and~~

862 ~~5. The particular driver license office in which the person~~  
863 ~~applies to register to vote or updates a voter registration~~  
864 ~~record will remain confidential and may be used only for voter~~  
865 ~~registration purposes.~~

866 ~~(b) Require a driver license examiner to inquire orally or,~~  
867 ~~if the applicant is hearing impaired, inquire in writing whether~~  
868 ~~the applicant wishes to register to vote or update a voter~~  
869 ~~registration record during the completion of a driver license or~~  
870 ~~identification card application, renewal, or change of address.~~

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871 ~~1. If the applicant chooses to register to vote or to~~  
872 ~~update a voter registration record:~~

873 ~~a. All applicable information received by the Department of~~  
874 ~~Highway Safety and Motor Vehicles in the course of filling out~~  
875 ~~the forms necessary under subsection (1) must be transferred to~~  
876 ~~a voter registration application.~~

877 ~~b. The additional necessary information must be obtained by~~  
878 ~~the driver license examiner and must not duplicate any~~  
879 ~~information already obtained while completing the forms required~~  
880 ~~under subsection (1).~~

881 ~~e. A voter registration application with all of the~~  
882 ~~applicant's voter registration information required to establish~~  
883 ~~the applicant's eligibility pursuant to s. 97.041 must be~~  
884 ~~presented to the applicant to review and verify the voter~~  
885 ~~registration information received and provide an electronic~~  
886 ~~signature affirming the accuracy of the information provided.~~

887 ~~2. If the applicant declines to register to vote, update~~  
888 ~~the applicant's voter registration record, or change the~~  
889 ~~applicant's address by either orally declining or by failing to~~  
890 ~~sign the voter registration application, the Department of~~  
891 ~~Highway Safety and Motor Vehicles must note such declination on~~  
892 ~~its records and shall forward the declination to the statewide~~  
893 ~~voter registration system.~~

894 ~~(3) For the purpose of this section, the Department of~~  
895 ~~Highway Safety and Motor Vehicles, with the approval of the~~  
896 ~~Department of State, shall prescribe:~~

897 ~~(a) A voter registration application that is the same in~~  
898 ~~content, format, and size as the uniform statewide voter~~  
899 ~~registration application prescribed under s. 97.052; and~~

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900 ~~(b) A form that will inform applicants under subsection (1)~~  
901 ~~of the information contained in paragraph (2) (a).~~

902 ~~(4) The Department of Highway Safety and Motor Vehicles~~  
903 ~~must electronically transmit completed voter registration~~  
904 ~~applications within 24 hours after receipt to the statewide~~  
905 ~~voter registration system. Completed paper voter registration~~  
906 ~~applications received by the Department of Highway Safety and~~  
907 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~  
908 ~~the supervisor of the county where the office that processed or~~  
909 ~~received that application is located.~~

910 ~~(5) The Department of Highway Safety and Motor Vehicles~~  
911 ~~must send, with each driver license renewal extension~~  
912 ~~application authorized pursuant to s. 322.18(8), a uniform~~  
913 ~~statewide voter registration application, the voter registration~~  
914 ~~application prescribed under paragraph (3) (a), or a voter~~  
915 ~~registration application developed especially for the purposes~~  
916 ~~of this subsection by the Department of Highway Safety and Motor~~  
917 ~~Vehicles, with the approval of the Department of State, which~~  
918 ~~must meet the requirements of s. 97.052.~~

919 ~~(4)(6)~~ A person providing voter registration services for a  
920 driver license office may not:

921 (a) Seek to influence an applicant's political preference  
922 or party registration;

923 (b) Display any political preference or party allegiance;

924 (c) Make any statement to an applicant or take any action  
925 the purpose or effect of which is to discourage the applicant  
926 from registering to vote; or

927 (d) Disclose any applicant's voter registration information  
928 except as needed for the administration of voter registration.

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929        (5)~~(7)~~ The Department of Highway Safety and Motor Vehicles  
930 shall collect data determined necessary by the Department of  
931 State for program evaluation and reporting to the Election  
932 Assistance Commission pursuant to federal law.

933        (6)~~(8)~~ The Department of Highway Safety and Motor Vehicles  
934 shall must ensure that all voter registration services provided  
935 by driver license offices are in compliance with the federal  
936 Voting Rights Act ~~of 1965~~.

937        (7)~~(9)~~ The Department of Highway Safety and Motor Vehicles  
938 shall retain complete records of voter registration information  
939 received, processed, and submitted to the Department of State  
940 ~~statewide voter registration system~~ by the Department of Highway  
941 Safety and Motor Vehicles. The retention of such ~~These~~ records  
942 is shall be for the explicit purpose of supporting audit and  
943 accounting controls established to ensure accurate and complete  
944 electronic transmission of records between the Department of  
945 State ~~statewide voter registration system~~ and the Department of  
946 Highway Safety and Motor Vehicles.

947        (8)~~(10)~~ The Department of State shall provide the  
948 Department of Highway Safety and Motor Vehicles with an  
949 electronic database of street addresses valid for use as the  
950 address of legal residence as required in s. 97.053(5). The  
951 Department of Highway Safety and Motor Vehicles shall compare  
952 the address provided by the applicant against the database of  
953 valid street addresses. If the address provided by the applicant  
954 does not match a valid street address in the database, the  
955 applicant will be asked to verify the address provided. The  
956 Department of Highway Safety and Motor Vehicles may ~~shall~~ not  
957 reject any application for voter registration for which a valid

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958 match cannot be made.

959 (9)~~(11)~~ The Department of Highway Safety and Motor Vehicles  
960 shall enter into an agreement with the Department of State to  
961 match information in the statewide voter registration system  
962 with information in the database of the Department of Highway  
963 Safety and Motor Vehicles to the extent required to verify the  
964 accuracy of the driver license number, Florida identification  
965 number, or last four digits of the social security number  
966 provided on applications for voter registration as required in  
967 s. 97.053.

968 (10)~~(12)~~ The Department of Highway Safety and Motor  
969 Vehicles shall enter into an agreement with the Commissioner of  
970 Social Security as required by the Help America Vote Act of 2002  
971 to verify the last four digits of the social security number  
972 provided in applications for voter registration as required in  
973 s. 97.053.

974 (11)~~(13)~~ The Department of Highway Safety and Motor  
975 Vehicles shall ~~must~~ assist the Department of State in regularly  
976 identifying changes in residence address on the driver license  
977 or identification card of a voter. The Department of State shall  
978 ~~must~~ report each such change to the appropriate supervisor of  
979 elections who must change the voter's registration records in  
980 accordance with s. 98.065(4).

981 Section 8. Section 97.0575, Florida Statutes, is amended to  
982 read:

983 97.0575 Third-party voter registration organizations.—

984 (1) Before engaging in any voter registration activities, a  
985 third-party voter registration organization must register and  
986 provide to the division, in an electronic format, the following

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987 information:

988 (a) The names of the officers of the organization and the  
989 name and permanent address of the organization.

990 (b) The name and address of the organization's registered  
991 agent in the state.

992 (c) The names, permanent addresses, and temporary  
993 addresses, if any, of each registration agent registering  
994 persons to vote in this state on behalf of the organization.  
995 This paragraph does not apply to persons who only solicit  
996 applications and do not collect or handle voter registration  
997 applications.

998 ~~(d) Beginning November 6, 2024, the specific general~~  
999 ~~election cycle for which the third-party voter registration~~  
1000 ~~organization is registering persons to vote.~~

1001 ~~(e) An affirmation that each person collecting or handling~~  
1002 ~~voter registration applications on behalf of the third-party~~  
1003 ~~voter registration organization has not been convicted of a~~  
1004 ~~felony violation of the Election Code, a felony violation of an~~  
1005 ~~offense specified in s. 825.103, a felony offense specified in~~  
1006 ~~s. 98.0751(2)(b) or (c), or a felony offense specified in~~  
1007 ~~chapter 817, chapter 831, or chapter 837. A third-party voter~~  
1008 ~~registration organization is liable for a fine in the amount of~~  
1009 ~~\$50,000 for each such person who has been convicted of a felony~~  
1010 ~~violation of the Election Code, a felony violation of an offense~~  
1011 ~~specified in s. 825.103, a felony offense specified in s.~~  
1012 ~~98.0751(2)(b) or (c), or a felony offense specified in chapter~~  
1013 ~~817, chapter 831, or chapter 837 who is collecting or handling~~  
1014 ~~voter registration applications on behalf of the third-party~~  
1015 ~~voter registration organization.~~

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1016 ~~(f) An affirmation that each person collecting or handling~~  
1017 ~~voter registration applications on behalf of the third party~~  
1018 ~~voter registration organization is a citizen of the United~~  
1019 ~~States of America. A third party voter registration organization~~  
1020 ~~is liable for a fine in the amount of \$50,000 for each such~~  
1021 ~~person who is not a citizen and is collecting or handling voter~~  
1022 ~~registration applications on behalf of the third party voter~~  
1023 ~~registration organization.~~

1024 ~~(2) Beginning November 6, 2024, the registration of a~~  
1025 ~~third party voter registration organization automatically~~  
1026 ~~expires at the conclusion of the specific general election cycle~~  
1027 ~~for which the third party voter registration organization is~~  
1028 ~~registered.~~

1029 ~~(3)~~ The division or the supervisor of elections shall make  
1030 voter registration forms available to third-party voter  
1031 registration organizations. All such forms must contain  
1032 information identifying the organization to which the forms are  
1033 provided. The division shall maintain a database of all third-  
1034 party voter registration organizations and the voter  
1035 registration forms assigned to the third-party voter  
1036 registration organization. Each supervisor of elections shall  
1037 provide to the division information on voter registration forms  
1038 assigned to and received from third-party voter registration  
1039 organizations. The information must be provided in a format and  
1040 at times as required by the division by rule. The division shall  
1041 update information on third-party voter registrations daily and  
1042 make the information publicly available.

1043 ~~(4) A third party voter registration organization that~~  
1044 ~~collects voter registration applications shall provide a receipt~~

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1045 ~~to an applicant upon accepting possession of his or her~~  
1046 ~~application. The division shall adopt by rule a uniform format~~  
1047 ~~for the receipt by October 1, 2023. The format must include, but~~  
1048 ~~need not be limited to, the name of the applicant, the date the~~  
1049 ~~application is received, the name of the third-party voter~~  
1050 ~~registration organization, the name of the registration agent,~~  
1051 ~~the applicant's political party affiliation, and the county in~~  
1052 ~~which the applicant resides.~~

1053 (3) (a) (5) (a) A third-party voter registration organization  
1054 that collects voter registration applications serves as a  
1055 fiduciary to the applicant and shall ensure that any voter  
1056 registration application entrusted to the organization,  
1057 irrespective of party affiliation, race, ethnicity, or gender,  
1058 is promptly delivered to the division or the supervisor of  
1059 elections ~~in the county in which the applicant resides~~ within 14  
1060 ~~10~~ days after the application is completed by the applicant, but  
1061 not after registration closes for the next ensuing election. If  
1062 a voter registration application collected by any third-party  
1063 voter registration organization is not promptly delivered to the  
1064 division or supervisor of elections ~~in the county in which the~~  
1065 ~~applicant resides~~, the third-party voter registration  
1066 organization is liable for the following fines:

1067 1. A fine in the amount of \$50 ~~per each day late, up to~~  
1068 ~~\$2,500,~~ for each application received by the division or the  
1069 supervisor of elections in the county in which the applicant  
1070 resides more than 10 days after the applicant delivered the  
1071 completed voter registration application to the third-party  
1072 voter registration organization or any person, entity, or agent  
1073 acting on its behalf. A fine in the amount of \$250 ~~\$2,500~~ for

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1074 each application received if the third-party voter registration  
1075 organization or person, entity, or agency acting on its behalf  
1076 acted willfully.

1077 2. A fine in the amount of \$100 ~~per each day late, up to~~  
1078 ~~\$5,000,~~ for each application collected by a third-party voter  
1079 registration organization or any person, entity, or agent acting  
1080 on its behalf, before book closing for any given election for  
1081 federal or state office and received by the division or the  
1082 supervisor of elections in the county in which the applicant  
1083 resides after the book-closing deadline for such election. A  
1084 fine in the amount of \$500 ~~\$5,000~~ for each application received  
1085 if the third-party voter registration organization or any  
1086 person, entity, or agency acting on its behalf acted willfully.

1087 3. A fine in the amount of \$500 for each application  
1088 collected by a third-party voter registration organization or  
1089 any person, entity, or agent acting on its behalf, which is not  
1090 submitted to the division or supervisor of elections in the  
1091 county in which the applicant resides. A fine in the amount of  
1092 \$1,000 ~~\$5,000~~ for any application not submitted if the third-  
1093 party voter registration organization or person, entity, or  
1094 agency acting on its behalf acted willfully.

1095  
1096 The aggregate fine which may be assessed pursuant to this  
1097 paragraph against a third-party voter registration organization,  
1098 including affiliate organizations, for violations committed in a  
1099 calendar year is \$1,000 ~~\$250,000~~.

1100 (b) A showing by the third-party voter registration  
1101 organization that the failure to deliver the voter registration  
1102 application within the required timeframe is based upon force

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1103 majeure or impossibility of performance shall be an affirmative  
1104 defense to a violation of this subsection. The secretary may  
1105 waive the fines described in this subsection upon a showing that  
1106 the failure to deliver the voter registration application  
1107 promptly is based upon force majeure or impossibility of  
1108 performance.

1109 ~~(6) If a person collecting voter registration applications~~  
1110 ~~on behalf of a third-party voter registration organization~~  
1111 ~~alters the voter registration application of any other person,~~  
1112 ~~without the other person's knowledge and consent, in violation~~  
1113 ~~of s. 104.012(4) and is subsequently convicted of such offense,~~  
1114 ~~the applicable third-party voter registration organization is~~  
1115 ~~liable for a fine in the amount of \$5,000 for each application~~  
1116 ~~altered.~~

1117 ~~(7) If a person collecting voter registration applications~~  
1118 ~~on behalf of a third-party voter registration organization~~  
1119 ~~copies a voter's application or retains a voter's personal~~  
1120 ~~information, such as the voter's Florida driver license number,~~  
1121 ~~Florida identification card number, social security number, or~~  
1122 ~~signature, for any reason other than to provide such application~~  
1123 ~~or information to the third-party voter registration~~  
1124 ~~organization in compliance with this section, the person commits~~  
1125 ~~a felony of the third degree, punishable as provided in s.~~  
1126 ~~775.082, s. 775.083, or s. 775.084.~~

1127 (4)~~(8)~~ If the Secretary of State reasonably believes that a  
1128 person has committed a violation of this section, the secretary  
1129 may refer the matter to the Attorney General for enforcement.  
1130 The Attorney General may institute a civil action for a  
1131 violation of this section or to prevent a violation of this

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1132 section. An action for relief may include a permanent or  
1133 temporary injunction, a restraining order, or any other  
1134 appropriate order.

1135 ~~(9) The division shall adopt by rule a form to elicit~~  
1136 ~~specific information concerning the facts and circumstances from~~  
1137 ~~a person who claims to have been registered to vote by a third-~~  
1138 ~~party voter registration organization but who does not appear as~~  
1139 ~~an active voter on the voter registration rolls. The division~~  
1140 ~~shall also adopt rules to ensure the integrity of the~~  
1141 ~~registration process, including controls to ensure that all~~  
1142 ~~completed forms are promptly delivered to the division or a~~  
1143 ~~supervisor in the county in which the applicant resides.~~

1144 (5) ~~(10)~~ The date on which an applicant signs a voter  
1145 registration application is presumed to be the date on which the  
1146 third-party voter registration organization received or  
1147 collected the voter registration application.

1148 ~~(11) A third-party voter registration organization may not~~  
1149 ~~mail or otherwise provide a voter registration application upon~~  
1150 ~~which any information about an applicant has been filled in~~  
1151 ~~before it is provided to the applicant. A third-party voter~~  
1152 ~~registration organization that violates this section is liable~~  
1153 ~~for a fine in the amount of \$50 for each such application.~~

1154 ~~(12) The requirements of this section are retroactive for~~  
1155 ~~any third-party voter registration organization registered with~~  
1156 ~~the department as of July 1, 2023, and must be complied with~~  
1157 ~~within 90 days after the department provides notice to the~~  
1158 ~~third-party voter registration organization of the requirements~~  
1159 ~~contained in this section. Failure of the third-party voter~~  
1160 ~~registration organization to comply with the requirements within~~

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1161 ~~90 days after receipt of the notice shall automatically result~~  
1162 ~~in the cancellation of the third-party voter registration~~  
1163 ~~organization's registration.~~

1164 Section 9. Part III of chapter 97, Florida Statutes,  
1165 consisting of 97.21-97.28, Florida Statutes, is created and  
1166 entitled "Florida Voting Rights Act."

1167 Section 10. Section 97.21, Florida Statutes, is created to  
1168 read:

1169 97.21 Prohibitions on voter suppression and vote dilution.-

1170 (1) A local government, state agency, or state official may  
1171 not implement or enforce any regulation, standard, practice,  
1172 procedure, policy, or law regarding the administration of  
1173 elections, or take any other action or fail to take any action,  
1174 which results in, will result in, or is intended to result in  
1175 any of the following:

1176 (a) A disparity in voter participation, access to voting  
1177 opportunities, or the opportunity or ability to participate in  
1178 the political process between members of a protected class and  
1179 other members of the electorate.

1180 (b) Based on the totality of the circumstances, an  
1181 impairment of the opportunity or ability of protected class  
1182 members to participate in the political process and elect  
1183 candidates of their choice or otherwise influence the outcome of  
1184 elections.

1185 (2) There is a rebuttable presumption that a violation  
1186 exists under paragraph (1)(b) in circumstances that include, but  
1187 are not limited to, any of the following:

1188 (a) A local government closes, moves, consolidates, or  
1189 fails to provide polling places, early voting sites, or secure

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1190 ballot intake stations; reassigns voters to precincts or polling  
1191 places; or reassigns precincts to polling places, in a manner  
1192 that results in a disparity in geographic access between members  
1193 of a protected class and other members of the electorate.

1194 (b) A local government selects or changes the dates or  
1195 hours of an election or for early voting in a manner that  
1196 impairs the right to vote of members of a protected class,  
1197 including, but not limited to, making the change without proper  
1198 notice as required by law.

1199 (c) A local government fails to provide voting or election  
1200 materials in languages other than English as required by federal  
1201 law or state law.

1202 (d) A local government conducts general or primary  
1203 elections on dates that do not align with the date of federal or  
1204 state general or primary elections, resulting in a disparity in  
1205 levels of participation between protected class voters and other  
1206 voters that exceeds any disparity in federal or state general or  
1207 primary elections.

1208 (e) A special election to fill a vacancy is called on a  
1209 date that would reasonably result in a disparity in levels of  
1210 participation between protected class voters and other voters,  
1211 and there exists an alternate date in a reasonable timeframe in  
1212 which the disparity would be materially less significant.

1213 (f) A special election to fill a vacancy is not scheduled  
1214 in a reasonable timeframe for an office in which protected class  
1215 voters would be able to elect candidates of their choice or  
1216 otherwise influence the outcome of elections, thus denying  
1217 representation to protected class voters.

1218 (3) (a) A local government may not employ any method of

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1219 election for any office which has the effect, or is motivated in  
1220 part by the intent, of impairing the opportunity or ability of  
1221 protected class members to participate in the political process  
1222 and elect candidates of their choice or otherwise influence the  
1223 outcome of elections as a result of diluting the vote of such  
1224 protected class members.

1225 (b) A violation of this subsection is deemed to have  
1226 occurred if:

1227 1.a. For a local government employing at-large elections,  
1228 elections in the local government exhibit racially polarized  
1229 voting that impairs the equal opportunity or ability of  
1230 protected class members to nominate or elect candidates of their  
1231 choice; or, based on the totality of the circumstances, the  
1232 equal opportunity or ability of members of a protected class to  
1233 nominate or elect candidates of their choice is impaired; and

1234 b. One or more new methods of election or modifications to  
1235 the existing method of election exist which would cure or  
1236 mitigate the impairment described in sub-subparagraph a.

1237 2.a. For a local government employing a district-based or  
1238 alternative method of election, elections in the local  
1239 government exhibit racially polarized voting that impairs the  
1240 equal opportunity or ability of protected class members to  
1241 nominate or elect candidates of their choice; or, based on the  
1242 totality of the circumstances, the equal opportunity or ability  
1243 of members of a protected class to nominate or elect candidates  
1244 of their choice is impaired; and

1245 b. One or more new methods of election or modifications to  
1246 the existing method of election exist which would cure or  
1247 mitigate the impairment described in sub-subparagraph a.

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1248 3. A local government adopts or implements a governmental  
1249 reorganization, including, but not limited to, an annexation, an  
1250 incorporation, a dissolution, a consolidation, or a division of  
1251 government in which, based on the totality of the circumstances,  
1252 the opportunity of protected class members to nominate or elect  
1253 candidates of the protected class members' choice or otherwise  
1254 influence the outcome of elections is impaired.

1255 (4) To the extent that the new method of election or  
1256 modification to the existing method of election identified under  
1257 subparagraph (3) (b)1. or subparagraph (3) (b)2. is a proposed  
1258 district-based plan that provides members of a protected class  
1259 with one or more reasonably configured districts in which they  
1260 would have an equal opportunity or ability to nominate or elect  
1261 candidates of their choice, it is not necessary to show in any  
1262 action seeking enforcement of this part that members of a  
1263 protected class comprise a majority in any such district or  
1264 districts.

1265 (5) For purposes of determining whether racially polarized  
1266 voting by protected class members has occurred or is occurring  
1267 for purposes of enforcing this section, a court with  
1268 jurisdiction over the matter must adhere to all of the following  
1269 guidelines:

1270 (a) Elections conducted before the filing of a cause of  
1271 action are more probative than elections conducted after the  
1272 filing of a cause of action.

1273 (b) Evidence concerning elections for any office in a local  
1274 government, including executive, legislative, judicial, and  
1275 other offices, is more probative than evidence concerning  
1276 election for other offices, but evidence concerning elections

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1277 for other offices may still be afforded probative value.

1278 (c) Statistical evidence is more probative than non-  
1279 statistical evidence.

1280 (d) In the case of claims brought on behalf of two or more  
1281 protected classes that are politically cohesive in a local  
1282 government, members of those protected classes must be combined  
1283 to determine whether voting by combined protected class members  
1284 is polarized from other electors. It is not necessary to  
1285 demonstrate that voting members of each protected class are  
1286 separately polarized from other electors.

1287 (e) Evidence concerning the causes of, or the reasons for,  
1288 the occurrence of racially polarized voting is not relevant to  
1289 the determination of whether racially polarized voting by  
1290 protected class members occurs, or whether candidates or  
1291 electoral choices preferred by protected class members would  
1292 usually be defeated. In particular, evidence concerning  
1293 alternate explanations for racially polarized voting patterns or  
1294 election outcomes, including, but not limited to, partisan  
1295 explanations, may not be considered.

1296 (f) Evidence concerning whether subgroups of protected  
1297 class members have different voting patterns may not be  
1298 considered.

1299 (g) Evidence concerning whether protected class electors  
1300 are geographically compact or concentrated may not be considered  
1301 unless the consideration of such evidence is for the purpose of  
1302 determining a remedy for a violation of this section.

1303 (6) For the purpose of determining whether, based on the  
1304 totality of the circumstances, an impairment of the right to  
1305 vote for any protected class members, or of the opportunity or

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1306 ability of protected class members to participate in the  
1307 political process and elect candidates of their choosing or  
1308 otherwise influence the outcomes of elections, has occurred,  
1309 courts may consider factors including, but not limited to, those  
1310 designated in this subsection. A particular combination or  
1311 number of these factors is not required for a court to determine  
1312 that an impairment occurred. The court shall consider a  
1313 particular factor only if, and to the extent evidence pertaining  
1314 to, that factor is introduced by a party to the action. Evidence  
1315 of these factors is most probative if the evidence relates to  
1316 the local government in which the alleged violation occurred,  
1317 but still holds probative value if the evidence relates to the  
1318 geographic region in which that local government is located or  
1319 to this state. The factors that a court may consider include,  
1320 but are not limited to, the following:

1321 (a) The history of discrimination.

1322 (b) The extent to which the protected class members have  
1323 been elected to office.

1324 (c) The use of any qualification for voter eligibility or  
1325 other prerequisite to voting, any statute, ordinance,  
1326 regulation, or other law regarding the administration of  
1327 elections, or any standard, practice, procedure, or policy of  
1328 the local government that may enhance the dilutive effects of a  
1329 method of election in the local government.

1330 (d) The extent to which protected class members or  
1331 candidates experienced any history of unequal access to election  
1332 administration or campaign finance processes that determine  
1333 which candidates will receive access to the ballot or receive  
1334 financial or other support in a given election for an office of

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1335 the local government.

1336 (e) The extent to which protected class members have  
1337 historically made expenditures, as defined in s. 106.011, at  
1338 lower rates than other individuals.

1339 (f) The extent to which protected class members vote at  
1340 lower rates than other voters.

1341 (g) The extent to which protected class members are  
1342 disadvantaged or otherwise bear the effects of public or private  
1343 discrimination in areas that may hinder their ability to  
1344 participate effectively in the political process, such as  
1345 education, employment, health, criminal justice, housing,  
1346 transportation, land use, or environmental protection.

1347 (h) The use of overt or subtle racial appeals in political  
1348 campaigns, by government officials, or in connection with the  
1349 adoption or maintenance of a challenged practice.

1350 (i) The extent to which candidates face hostility or  
1351 barriers while campaigning due to their membership in a  
1352 protected class.

1353 (j) The lack of responsiveness by elected officials to the  
1354 particular needs of protected class members or a community of  
1355 protected class members.

1356 (k) Whether the particular method of election or an  
1357 ordinance, a regulation, standard, practice, procedure, policy  
1358 or other law regarding the administration of elections was  
1359 designed to advance and does materially advance, a valid and  
1360 substantial state interest.

1361 (7) In determining whether a violation of this section has  
1362 occurred, a court may not consider any of the following factors:

1363 (a) The total number or share of members of a protected

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1364 class on whom a challenged method of election, ordinance,  
1365 resolution, rule, policy, standard, regulation, procedure, or  
1366 law does not impose a material burden.

1367 (b) The degree to which the challenged method of election,  
1368 ordinance, resolution, rule, policy, standard, regulation,  
1369 procedure, or law has a long pedigree or was in widespread use  
1370 at some earlier date.

1371 (c) The use of an identical or similar challenged method of  
1372 election, ordinance, resolution, rule, policy, standard,  
1373 regulation, procedure, or law in another local government.

1374 (d) The availability of other forms of voting not impacted  
1375 by the challenged method of election, ordinance, resolution,  
1376 rule, policy, standard, regulation, procedure, or law to all  
1377 members of the electorate, including members of the protected  
1378 class.

1379 (e) A prophylactic impact in potential criminal activity by  
1380 individual electors, if those crimes have not occurred in the  
1381 local government in substantial numbers, or if the connection  
1382 between the challenged policy and any claimed prophylactic  
1383 effect is not supported by substantial evidence.

1384 (f) Mere invocation of interests in voter confidence or  
1385 prevention of fraud.

1386 (g) A lack of evidence concerning the intent of electors,  
1387 elected officials, or public officials to discriminate against  
1388 the protected class members.

1389 (h) The fact that the challenged method of election,  
1390 ordinance, resolution, rule, policy, standard, regulation,  
1391 procedure, or law is authorized or mandated by any statute or  
1392 any special act, charter or home rule ordinance, or other

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1393 enactment of the state or any local government.

1394 (8) Before filing an action against a local government  
1395 pursuant to this section, a prospective plaintiff must send, by  
1396 certified mail, return receipt requested, a notification letter  
1397 to the local government asserting that the local government may  
1398 be in violation of the provisions of this act. Such letter must  
1399 be referred to as an "FLVRA notification letter."

1400 (a) Except as noted in paragraph (e), a party may not file  
1401 an action against a local government pursuant to this section  
1402 earlier than 50 days after sending a FLVRA notification letter  
1403 to the local government.

1404 (b) Before receiving a FLVRA notification letter, or not  
1405 later than 50 days after any FLVRA notification letter is sent  
1406 to a local government, a local government may adopt a resolution  
1407 that must be referred to as the "FLVRA Resolution" which does  
1408 all of the following:

1409 1. Identifies a potential violation of this section by the  
1410 local government.

1411 2. Identifies a specific remedy to the potential violation.

1412 3. Affirms the local government's intention to enact and  
1413 implement a remedy for a potential violation.

1414 4. Sets forth specific measures the local government will  
1415 take to facilitate enactment and implementation of the remedy.

1416 5. Provides a schedule for the enactment and implementation  
1417 of the remedy.

1418 (c) Except as noted in paragraph (e), a party that has sent  
1419 a FLVRA notification letter may not file an action pursuant to  
1420 this section earlier than 90 days after the adoption of a FLVRA  
1421 Resolution.

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1422       (d) If the remedy identified in a FLVRA Resolution is  
1423 barred by state or local law, or a legislative body of a local  
1424 government lacks authority under state or local law to enact or  
1425 implement a remedy identified in a FLVRA Resolution within 90  
1426 days after the adoption of such resolution, or if the local  
1427 government is a covered jurisdiction under s. 97.26, the local  
1428 government may nonetheless enact and implement the remedy  
1429 identified in such resolution upon approval of the FLVRA  
1430 Commission, which may provide approval only if it finds that the  
1431 local government may be in violation of this act, the proposed  
1432 remedy would address a potential violation, and implementation  
1433 of the proposed remedy is feasible. The approval of a remedy by  
1434 the FLVRA Commission does not bar an action to challenge the  
1435 remedy.

1436       (e) If pursuant to this subsection, a local government  
1437 enacts or implements a remedy or the FLVRA Commission approves a  
1438 proposed remedy, a party who sent a FLVRA notification letter  
1439 may submit a claim for reimbursement from the local government  
1440 for the costs associated with producing and sending such  
1441 notification letter. The party shall submit the claim in writing  
1442 and substantiate the claim with financial documentation,  
1443 including a detailed invoice for any demography services or  
1444 analysis of voting patterns in the local government. If a party  
1445 and local government fail to agree to a reimbursement amount,  
1446 either the party or local government may file an action for a  
1447 declaratory judgment for a clarification of rights.

1448       (f) Notwithstanding this subsection, a party may bring a  
1449 cause of action for a violation of this section under any of the  
1450 following circumstances:

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1451 1. The action is commenced within 1 year after the adoption  
1452 of a challenged method of election, ordinance, resolution, rule,  
1453 policy, standard, regulation, procedure, or law.

1454 2. The prospect of obtaining relief under this section  
1455 would be futile.

1456 3. Another party has already submitted a notification  
1457 letter under this subsection alleging a substantially similar  
1458 violation and that party is eligible to bring a cause of action  
1459 under this subsection.

1460 4. Following the party's submission of a FLVRA notification  
1461 letter, the local government has adopted a FLVRA Resolution that  
1462 identifies a remedy that would not remedy the violation  
1463 identified in the notification letter.

1464 5. The party is seeking preliminary relief with respect to  
1465 an upcoming election in accordance with s. 97.28.

1466 (g) Any local government that receives a FLVRA notification  
1467 letter or adopts a FLVRA Resolution must provide a copy to the  
1468 FLVRA Commission within one day of receipt or adoption. The  
1469 FLVRA Commission shall promptly post all FLVRA notification  
1470 letters and FLVRA Resolutions on its website. The FLVRA  
1471 Commission may adopt rules identifying other materials and  
1472 information that must be provided to the FLVRA Commission by  
1473 local governments, as well as procedures for transmittal of  
1474 materials and information from local governments to the FLVRA  
1475 Commission.

1476 (9) Local governments may not assert the doctrine of laches  
1477 as a defense to claims brought under this section. Local  
1478 governments may not assert that plaintiffs have failed to comply  
1479 with any notice, exhaustion, or other procedural requirements

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1480 under state law, other than the requirements in this section, as  
1481 a defense to claims brought under this section.

1482 (10) Any individual aggrieved by a violation of this  
1483 section, any entity whose membership includes individuals  
1484 aggrieved by a violation of this section, any entity whose  
1485 mission would be frustrated by a violation of this section, or  
1486 any entity that would expend resources in order to fulfill its  
1487 mission as a result of a violation of this section, the Attorney  
1488 General, or the FLVRA Commission may file an action alleging a  
1489 violation of this section to enforce compliance with this  
1490 section. Such a claim may be filed pursuant to the Florida Rules  
1491 of Civil Procedure or in the Second Judicial Circuit of Florida.  
1492 Members of two or more protected classes that are politically  
1493 cohesive in a local government may jointly file an action.

1494 Section 11. Section 97.22, Florida Statutes, is created to  
1495 read:

1496 97.22 Florida Voting Rights Act Commission.—

1497 (1) There is created the Florida Voting Rights Act (FLVRA)  
1498 Commission within the Department of State. The FLVRA Commission  
1499 is a separate budget entity, as provided in the General  
1500 Appropriations Act, and shall prepare and submit a budget  
1501 request in accordance with chapter 216. The FLVRA Commission is  
1502 responsible for administering the Florida Voting Rights Act. The  
1503 FLVRA Commission must have its own staff, which includes  
1504 management, research, and enforcement personnel, and is not  
1505 subject to control, supervision, or direction by the Department  
1506 of State.

1507 (2) (a) The FLVRA Commission must be composed of five  
1508 commissioners, each of whom shall serve a staggered 5-year term.

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1509 Commissioners must be compensated for their actual time spent on  
1510 the FLVRA Commission's business at an hourly rate based on the  
1511 rate equivalent to an assistant attorney general.

1512 1. A nominating committee shall identify qualified  
1513 candidates to serve as commissioners. The nominating committee  
1514 shall be composed of nominating organizations that are selected  
1515 as follows:

1516 a. Organizations may apply to the Secretary of State to be  
1517 certified as organizational nominators for 5-year terms, at  
1518 which point the organizations may be recertified. The Secretary  
1519 of State must certify any organization that applies to be an  
1520 organizational nominator if it meets the following  
1521 qualifications:

1522 (I) Demonstrated commitment to the purposes of this act and  
1523 securing the voting rights of protected class members, such as  
1524 referencing such class members in the organization's mission  
1525 statement, involvement in numerous voting rights cases brought  
1526 in Florida on behalf of members of protected classes, or  
1527 advocacy in support of this act.

1528 (II) Registered as a nonprofit corporation with the  
1529 Secretary of State.

1530 (III) In continuous operation as a nonprofit organization  
1531 under s. 501(c)(3) of the Internal Revenue Code or as a  
1532 nonprofit corporation registered with the Secretary of State for  
1533 at least 20 years.

1534 b. If the Secretary of State fails to timely certify an  
1535 organization that satisfies these qualifications following the  
1536 organization's application as an organizational nominator, the  
1537 organization may file an action against the Secretary of State

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1538 for a declaratory judgment certifying the organization as an  
1539 organizational nominator.

1540 2. An organizational nominator may be removed for cause by  
1541 a majority vote of all fellow nominators.

1542 3. If there are fewer than 16 organizational nominators  
1543 certified by the Secretary of State, the nominating committee  
1544 must be composed of all organizational nominators. If there are  
1545 16 or more organizational nominators certified by the Secretary  
1546 of State, the nominating committee must be composed of 15  
1547 organizational nominators randomly selected from all the  
1548 nominators by lot on an annual basis.

1549 4. The nominating committee shall select its own chair to  
1550 preside over meetings and votes.

1551 (b) Commissioners must be selected as follows:

1552 1. The nominating committee shall solicit applications to  
1553 serve on the FLVRA Commission from across this state. A  
1554 commissioner must satisfy at least all of the following  
1555 criteria:

1556 a. Be a resident of this state.

1557 b. Be a member in good standing of The Florida Bar with at  
1558 least 5 years of legal experience.

1559 c. Have experience representing or advocating on behalf of  
1560 members of protected classes.

1561 d. Have not served in elected office within the preceding 5  
1562 years.

1563 e. Not be currently serving in any governmental office or  
1564 holding any political party office.

1565 2. The nominating committee shall maintain a qualified  
1566 candidate pool consisting of 30 candidates to serve on the FLVRA

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1567 Commission. Individuals may be added to the qualified applicant  
1568 pool only upon a vote of three-fifths of the nominating  
1569 committee.

1570 3. All members of the FLVRA Commission must be randomly  
1571 selected from the qualified candidate pool. Upon the initial  
1572 formation of the FLVRA Commission, five commissioners must be  
1573 selected by lot from the qualified candidate pool and randomly  
1574 assigned to term lengths of 5 years, 4 years, 3 years, 2 years,  
1575 and 1 year. At least 60 days in advance of the conclusion of  
1576 each commissioner's term, a new commissioner must be randomly  
1577 selected by lot from the qualified candidate pool to serve a 5-  
1578 year term upon the conclusion of the commissioner's term. If a  
1579 vacancy occurs, a new commissioner must be randomly selected by  
1580 lot within 30 days of the vacancy occurring from the qualified  
1581 candidate pool to complete the vacated term.

1582 (3) In any action or investigation to enforce this section,  
1583 the FLVRA Commission may subpoena witnesses; administer oaths;  
1584 examine individuals under oath; determine material facts; and  
1585 compel the production of records, books, papers, contracts, and  
1586 other documents in accordance with the Florida Rules of Civil  
1587 Procedure.

1588 (4) The FLVRA Commission may hire any staff and make any  
1589 expenditure necessary to fulfill its responsibilities.

1590 (5) The FLVRA Commission may adopt rules to administer and  
1591 enforce this part.

1592 Section 12. Section 97.23, Florida Statutes, is created to  
1593 read:

1594 97.23 Statewide database and institute.—

1595 (1) The FLVRA Commission shall enter into an agreement with

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1596 one or more postsecondary educational institutions in this state  
1597 to create the Florida Voting and Elections Database and  
1598 Institute, to maintain and administer a central repository of  
1599 elections and voting data available to the public from all local  
1600 governments in this state, and to foster, pursue, and sponsor  
1601 research on existing laws and best practices in voting and  
1602 elections. The parties to that agreement shall enter into a  
1603 memorandum of understanding that includes the process for  
1604 selecting the director of the database and institute.

1605 (2) The database and institute shall provide a center for  
1606 research, training, and information on voting systems and  
1607 election administration. The database and institute may do any  
1608 of the following:

1609 (a) Conduct classes both for credit and noncredit.

1610 (b) Organize interdisciplinary groups of scholars to  
1611 research voting and elections in this state.

1612 (c) Conduct seminars involving voting and elections.

1613 (d) Establish a nonpartisan centralized database in order  
1614 to collect, archive, and make publicly available, at no cost, an  
1615 accessible database pertaining to elections, voter registration,  
1616 and ballot access in this state.

1617 (e) Assist in the dissemination of election data to the  
1618 public.

1619 (f) Publish books and periodicals as the database and  
1620 institute considers appropriate on voting and elections in this  
1621 state.

1622 (g) Provide nonpartisan technical assistance to local  
1623 governments, scholars, and the general public seeking to use the  
1624 resources of the database and the institute.

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1625 (3) The database and institute shall make available, and  
1626 maintain in an electronic format, all relevant election and  
1627 voting data and records for at least the previous 12-year  
1628 period. The data, information, and estimates maintained by the  
1629 database and institute must be posted online and made available  
1630 to the public at no cost. Maps, election day polling places, and  
1631 vote-by-mail ballot secure intake stations must be made  
1632 available in a geospatial file format. The database and  
1633 institute shall prepare any estimates made under this section by  
1634 applying the most advanced, peer-reviewed, and validated  
1635 methodologies available. Data and records that must be  
1636 maintained include, but are not limited to, all of the  
1637 following:

1638 (a) Estimates of the total population, voting age  
1639 population, and citizen voting age population by racial, color,  
1640 or language minority group and disability status, broken down by  
1641 precinct level on a year-by-year basis, for every local  
1642 government in this state, based on data from the United States  
1643 Census Bureau, American Community Survey, or data of comparable  
1644 quality collected by a public office.

1645 (b) Election results at the precinct level for every  
1646 federal, state, and local election held in every local  
1647 government of this state.

1648 (c) Contemporaneous voter registration lists, voter history  
1649 files, election polling places, and vote-by-mail secure ballot  
1650 intake stations for every election in every local government in  
1651 this state.

1652 (d) Contemporaneous maps or other documentation of the  
1653 configuration of precincts.

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1654 (e) Election day polling places, including, but not limited  
1655 to, lists of precincts assigned to each polling place, if  
1656 applicable.

1657 (f) Adopted district or redistricting plans for every  
1658 election in every local government in this state.

1659 (g) A current record, updated monthly, of persons eligible  
1660 to register to vote who have a prior criminal conviction and  
1661 whose eligibility has been restored in compliance with s.  
1662 98.0751.

1663 (h) Any other data that the director of the database and  
1664 institute considers necessary to maintain in furtherance of the  
1665 purposes of the database and institute.

1666 (4) All state agencies and local governments shall timely  
1667 provide the director of the database and institute with any  
1668 information requested by the director. No later than 90 days  
1669 after an election, each local government shall transmit to the  
1670 database and institute copies of all of the following:

1671 (a) Election results at the precinct level.

1672 (b) Contemporaneous voter registration lists.

1673 (c) Voter history files.

1674 (d) Maps, descriptions, and shapefiles for election  
1675 districts.

1676 (e) Lists of election day polling places, shapefiles, or  
1677 descriptions of the precincts assigned to each election day  
1678 polling place.

1679 (f) Any other data as requested by the database and  
1680 institute.

1681 (5) Any state entity identified by the director of the  
1682 database and institute as possessing data, statistics, or other

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1683 information required by the database and institute to carry out  
1684 its duties and responsibilities shall provide such data,  
1685 statistics, or information annually to the database or institute  
1686 at the request of the director.

1687 (6) If a state agency or local government fails to provide  
1688 any information to the database and institute as required by  
1689 this section, any individual aggrieved by such a violation, any  
1690 entity whose membership includes individuals aggrieved by such a  
1691 violation, any entity whose mission would be frustrated by such  
1692 a violation, or any entity that would expend resources in order  
1693 to fulfill its mission as a result of such a violation, the  
1694 director of the database and institute, the Attorney General, or  
1695 the FLVRA Commission may file an action to enforce compliance  
1696 with this section. Such claim may be filed pursuant to the  
1697 Florida Rules of Civil Procedure or in the Second Judicial  
1698 Circuit.

1699 (7) No later than 90 days following the end of each state  
1700 fiscal year, the database and institute shall publish a report  
1701 on the priorities and finances of the database and institute.

1702 (8) The database and institute shall provide nonpartisan  
1703 technical assistance to local governments, researchers, and  
1704 members of the public seeking to use the resources of the  
1705 statewide database.

1706 (9) There is a rebuttable presumption that the data,  
1707 estimates, or other information maintained by the database and  
1708 institute is valid.

1709 Section 13. Section 97.24, Florida Statutes, is created to  
1710 read:

1711 97.24 Language access.-

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- 1712 (1) As used in this section, the term:
- 1713 (a) "Limited English proficient individual" means an
- 1714 individual who does not speak English as his or her primary
- 1715 language and who speaks, reads, or understands the English
- 1716 language other than "very well" in accordance with United States
- 1717 Census Bureau data or data of comparable quality collected by a
- 1718 governmental entity.
- 1719 (b) "Native American" includes any person recognized by the
- 1720 United States Census Bureau or the state of Florida as "American
- 1721 Indian."
- 1722 (2) The FLVRA Commission must designate one or more
- 1723 languages, other than English, for which assistance in voting
- 1724 and elections must be provided in a local government if the
- 1725 FLVRA Commission finds that a significant and substantial need
- 1726 exists for assistance.
- 1727 (3) Based on the best available data, which may include
- 1728 information from the United States Census Bureau's American
- 1729 Community Survey or data of comparable quality collected by a
- 1730 governmental entity, the FLVRA Commission must find that a
- 1731 significant and substantial need exists if:
- 1732 (a) More than 2 percent, but no fewer than 200 citizens of
- 1733 voting age of a local government speak a language other than
- 1734 English and are limited English proficient individuals.
- 1735 (b) More than 4,000 citizens of voting age of a local
- 1736 government speak a language other than English and are limited
- 1737 English proficient individuals.
- 1738 (4) In the case of a local government that contains any
- 1739 part of a Native American reservation, if more than 2 percent of
- 1740 the Native American citizens of voting age within the Native

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1741 American reservation are proficient in a language other than  
1742 English and are limited English proficient individuals, the  
1743 local government must provide materials in such language.

1744 (5) (a) On an annual basis, the FLVRA Commission must  
1745 publish on its website a list of all of the following:

1746 1. Each local government in which assistance in voting and  
1747 elections in a language other than English must be provided.

1748 2. Each language in which such assistance must be provided  
1749 in each local government.

1750 (b) The FLVRA Commission's determinations under this  
1751 section are effective upon publication and the FLVRA Commission  
1752 must distribute this information to each affected local  
1753 government.

1754 (6) Each local government described in subsection (5) must  
1755 provide assistance in voting and elections, including related  
1756 materials, in any language designated by the FLVRA Commission  
1757 under paragraph (5) (a) to voters in a local government who are  
1758 limited English proficient individuals.

1759 (7) Whenever the FLVRA Commission determines, pursuant to  
1760 this section, that language assistance must be provided by a  
1761 local government, the local government must provide competent  
1762 assistance in each designated language and provide related  
1763 materials in English and in each designated language, including  
1764 voter registration or voting notices, forms, instructions,  
1765 assistance, ballots, or other materials or information relating  
1766 to the electoral process. However, in the case of a language  
1767 that is oral or unwritten, including historically unwritten  
1768 languages, as may be the case for some Native Americans, a local  
1769 government may provide only oral instructions, assistance, or

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1770 other information on the electoral process in such language. All  
1771 materials provided in a designated language must be of an equal  
1772 quality to the corresponding English materials. All provided  
1773 translations must convey the intent and essential meaning of the  
1774 original text or communication and may not rely solely on  
1775 automatic translation service. If available, language assistance  
1776 must include live translation.

1777 (8) The FLVRA Commission must adopt rules to establish a  
1778 review process under which the FLVRA Commission must determine  
1779 whether a significant and substantial need exists in a local  
1780 government for a language to be designated for the provision of  
1781 assistance in voting and elections. This process must, at a  
1782 minimum, include an opportunity for any voter, organization  
1783 whose membership includes or is likely to include voters,  
1784 organization whose mission would be frustrated by a local  
1785 government's failure to provide language assistance, or  
1786 organization that would expend resources in order to fulfill the  
1787 organization's mission as a result of such failure to request  
1788 that the FLVRA Commission consider designating a language in a  
1789 local government, an opportunity for public comment, and that  
1790 upon receipt of any such request and consideration of any public  
1791 comment, the FLVRA Commission may, in accordance with the  
1792 process for making this determination, designate any language in  
1793 a local government.

1794 (9) Any individual aggrieved by a violation of this  
1795 section, any entity whose membership includes individuals  
1796 aggrieved by a violation of this section, any entity whose  
1797 mission would be frustrated by a violation of this section, or  
1798 any entity that would expend resources in order to fulfill its

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1799 mission as a result of a violation of this section, the Attorney  
1800 General, or the FLVRA Commission may file an action alleging a  
1801 violation of this section. Such a claim may be filed pursuant to  
1802 the Florida Rules of Civil Procedure or in the Second Judicial  
1803 Circuit.

1804 Section 14. Section 97.25, Florida Statutes, is created to  
1805 read:

1806 97.25 Preclearance.—

1807 (1) The enactment or implementation of a covered policy by  
1808 a covered jurisdiction is subject to preclearance by the FLVRA  
1809 Commission.

1810 (2) For purposes of this section, a covered policy includes  
1811 any new or modified qualification for voter registration,  
1812 prerequisite to voting, or ordinance, regulation, standard,  
1813 practice, procedure, or policy concerning any of the following:

1814 (a) Districting or redistricting.

1815 (b) Method of election.

1816 (c) Form of government.

1817 (d) Annexation, incorporation, dissolution, consolidation,  
1818 or division of a local government.

1819 (e) Removal of individuals from registry lists or  
1820 enrollment lists and other activities concerning any such list.

1821 (f) Hours of any early voting site, or location or number  
1822 of early voting sites, polling places, or secure ballot intake  
1823 stations.

1824 (g) Assignment of voting precincts to polling places or  
1825 secure ballot intake station locations.

1826 (h) Assistance offered to protected class members.

1827 (i) Any additional subject matter the FLVRA Commission may

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1828 identify for inclusion in this subsection, pursuant to FLVRA  
1829 Commission rule, if the FLVRA Commission determines that any  
1830 qualification for voter registration, prerequisite to voting, or  
1831 ordinance, regulation, standard, practice, procedure, or policy  
1832 concerning such subject matter may have the effect of  
1833 diminishing the right to vote of any protected class member or  
1834 have the effect of violating this act.

1835 (3) A covered jurisdiction includes any of the following:

1836 (a) Any local government that, within the preceding 25  
1837 years, has been subject to any court order, government  
1838 enforcement action, court-approved consent decree, or any other  
1839 settlement in which the local government conceded liability,  
1840 based upon a violation of this act, the federal Voting Rights  
1841 Act, the 15th Amendment to the United States Constitution, a  
1842 voting-relating violation of the 14th Amendment to the United  
1843 States Constitution, or any violation of any other state or  
1844 federal election law, based upon discrimination against members  
1845 of a protected class.

1846 (b) Any local government that, within the preceding 25  
1847 years, has been subject to any court order, government  
1848 enforcement action, court-approved consent decree, or any other  
1849 settlement in which the local government conceded liability,  
1850 based upon a violation of any state or federal civil rights law  
1851 or the 14th Amendment to the United States Constitution  
1852 concerning discrimination against members of a protected class.

1853 (c) Any local government that, during the preceding 3  
1854 years, has failed to comply with its obligation to provide data  
1855 or information to the statewide database pursuant to s. 97.23.

1856 (d) Any local government that, during the preceding 25

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1857 years, was found to have enacted or implemented a covered policy  
1858 without obtaining preclearance for that policy pursuant to this  
1859 section.

1860 (e) Any local government that contains at least 1,000  
1861 eligible voters of any protected class, or in which members of  
1862 any protected class constitute at least 10 percent of the  
1863 eligible voter population of the local government, and in which,  
1864 in any year in the preceding 10 years, the percentage of voters  
1865 of any protected class in a local government which participated  
1866 in any general election for any local government office was at  
1867 least 10 percentage points lower than the percentage of all  
1868 voters in the local government who participated in such  
1869 election.

1870 (f) Any local government that contains at least 1,000  
1871 eligible voters of any protected class, or in which members of  
1872 any protected class constitute at least 10 percent of the  
1873 eligible voter population of the local government, and in which,  
1874 in any year in the preceding 10 years, the percentage of  
1875 eligible voters of that protected class who were registered to  
1876 vote was at least 10 percentage points lower than the percentage  
1877 of all eligible voters in the local government who registered to  
1878 vote.

1879 (g) Any local government that contains at least 1,000  
1880 eligible voters of any protected class, or in which members of  
1881 any protected class constitute at least 10 percent of the  
1882 eligible voter population of the local government, and in which,  
1883 in any year in the preceding 10 years, the percentage of  
1884 eligible voters of that protected class who were registered to  
1885 vote was at least 10 percentage points lower than the percentage

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1886 of all eligible voters in the local government who registered to  
1887 vote.

1888 (h) Any local government that contains at least 1,000  
1889 eligible voters of any protected class, or in which members of  
1890 any protected class constitute at least 10 percent of the  
1891 eligible voter population of the local government, and in which,  
1892 in any year in the preceding 10 years, based on data made  
1893 available by the United States Census, the dissimilarity index  
1894 of such protected class, calculated using census tracts, is in  
1895 excess of 50 percent with respect to the race, color, or  
1896 language minority group that comprises a plurality within the  
1897 local government.

1898 (i) Any local government that contains at least 1,000  
1899 eligible voters of any protected class, or in which members of  
1900 any protected class constitute at least 10 percent of the  
1901 eligible voter population of the local government, and in which,  
1902 in any year in the preceding 10 years, the poverty rate among  
1903 the population of a protected class exceeds the poverty rate  
1904 among the population of the local government as a whole by at  
1905 least 10 percentage points.

1906 (j) Any county that contains at least 1,000 eligible voters  
1907 of any protected class, or in which members of any protected  
1908 class constitute at least 10 percent of the eligible voter  
1909 population of the county, and in which, in any year in the  
1910 preceding 10 years, the arrest rate among members of such  
1911 protected class exceeds the arrest rate among the population of  
1912 the county as a whole by at least 10 percentage points.

1913 (k) Any school district that contains at least 1,000  
1914 eligible voters of any protected class, or in which members of

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1915 any protected class constitute at least 10 percent of the  
1916 eligible voter population of the school district, and in which,  
1917 in any year in the preceding 10 years, the graduation rate of  
1918 such protected class is lower than the graduation rate of the  
1919 entire district student population by at least 10 percentage  
1920 points.

1921 (4) The FLVRA Commission shall determine on an annual basis  
1922 which local governments are covered jurisdictions and publish a  
1923 list of such jurisdictions on its website.

1924 (5) If a covered jurisdiction seeks preclearance from the  
1925 FLVRA Commission for the adoption or implementation of any  
1926 covered policy, the covered jurisdiction must submit the covered  
1927 policy to the FLVRA Commission in writing and may obtain  
1928 preclearance in accordance with this section.

1929 (a) The FLVRA Commission shall review the covered policy  
1930 submitted for preclearance, including any comments submitted by  
1931 members of the public, and make a determination to grant or deny  
1932 preclearance. The covered jurisdiction bears the burden of proof  
1933 in any preclearance determinations.

1934 (b)1. The FLVRA Commission may deny preclearance to a  
1935 submitted covered policy only if it determines that:

1936 a. The covered policy is more likely than not to diminish  
1937 the opportunity or ability of protected class members to  
1938 participate in the political process and elect candidates of  
1939 their choice or otherwise influence the outcome of elections; or

1940 b. The covered policy is more likely than not to violate  
1941 this act.

1942 2. If the FLVRA Commission denies preclearance, the  
1943 applicable covered jurisdiction may not enact or implement the

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1944 covered policy. The FLVRA Commission shall provide a written  
1945 explanation for a denial.

1946 (c) If the FLVRA Commission grants preclearance to a  
1947 covered policy, the covered jurisdiction may immediately enact  
1948 or implement the covered policy. A determination by the FLVRA  
1949 Commission to grant preclearance is not admissible in, and may  
1950 not be considered by, a court in any subsequent action  
1951 challenging the covered policy. If the FLVRA Commission fails to  
1952 deny or grant preclearance to a submitted covered policy within  
1953 the time periods set forth in paragraph (d), the covered policy  
1954 is deemed to be precleared, and the covered jurisdiction may  
1955 enact or implement the covered policy.

1956 (d) If a covered policy concerns the method of election for  
1957 a legislative body, districting or redistricting, the number of  
1958 seats on the legislative body, or annexation, incorporation,  
1959 dissolution, consolidation, or division of a local government,  
1960 the FLVRA Commission shall review the covered policy, including  
1961 any comments submitted by members of the public, and make a  
1962 determination to deny or grant preclearance within 60 days after  
1963 the submission of the covered policy. The FLVRA Commission may  
1964 invoke up to two extensions of 90 days each to make such a  
1965 determination. For all other covered policies, the FLVRA  
1966 Commission shall review the covered policy, including any public  
1967 comment, and make determination to deny or grant preclearance  
1968 within 30 days after the submission of the covered policy. The  
1969 FLVRA Commission may invoke an extension of 60 days to make such  
1970 a determination.

1971 (e) Any denial of preclearance under this section may be  
1972 appealed only by the covered jurisdiction, and must be filed in

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1973 the Second Judicial Circuit. No other parties may file an action  
1974 to appeal a denial of preclearance or intervene in any such  
1975 action brought by the covered jurisdiction.

1976 (6) If any covered jurisdiction enacts or implements any  
1977 covered policy without obtaining preclearance for such covered  
1978 policy in accordance with this section, any individual aggrieved  
1979 by such a violation, any entity whose membership includes  
1980 individuals aggrieved by such a violation, any entity whose  
1981 mission would be frustrated by such a violation, any entity that  
1982 would expend resources in order to fulfill its mission as a  
1983 result of such a violation, the director of the database and  
1984 institute, the Attorney General, or the FLVRA Commission may  
1985 file an action to enjoin enactment or implementation and seek  
1986 sanctions against the covered jurisdiction for violations of  
1987 this section. Such a claim may be filed pursuant to the Florida  
1988 Rules of Civil Procedure or in the Second Judicial Circuit. A  
1989 claim under this subsection does not preclude, bar, or limit in  
1990 any way any other claims that may be brought regarding the  
1991 covered policy, including claims brought under other sections of  
1992 this act.

1993 (7) If the FLVRA Commission approves preclearance for a  
1994 covered policy in violation of this section, identifies or fails  
1995 to identify a list of local governments that are covered  
1996 jurisdictions in violation of this section, or otherwise fails  
1997 to properly implement this section, any individual aggrieved by  
1998 such a violation, any entity whose membership includes  
1999 individuals aggrieved by such a violation, any entity whose  
2000 mission would be frustrated by such a violation, or any entity  
2001 that would expend resources in order to fulfill its mission as a

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2002 result of such a violation may file an action seeking  
2003 appropriate relief, including, but not limited to, injunctive  
2004 relief on the FLVRA Commission or any other party, as the court  
2005 deems necessary to enforce this section. Such a claim may be  
2006 filed pursuant to the Florida Rules of Civil Procedure or in the  
2007 Second Judicial Circuit. A claim under this subsection does not  
2008 preclude, bar, or limit any other claims that may be brought  
2009 regarding any covered policy, including claims brought under  
2010 other sections of this act.

2011 (8) The FLVRA Commission shall adopt rules to implement  
2012 this section, including rules concerning the content of and  
2013 procedure for preclearance submission, procedures for public  
2014 comment and transparency regarding preclearance determinations,  
2015 and procedures for expedited and emergency preclearance  
2016 determination, which may deviate from the timelines provided in  
2017 paragraph (5)(d) provided that such preclearance determinations  
2018 are preliminary.

2019 Section 15. Section 97.26, Florida Statutes, is created to  
2020 read:

2021 97.26 Voter intimidation, deception, and obstruction.—

2022 (1) A person, whether acting under color of law or  
2023 otherwise, may not engage in acts of intimidation, deception,  
2024 obstruction, or any other tactic that has the effect of or may  
2025 reasonably have the effect of interfering with another person's  
2026 right to vote.

2027 (2) A violation of subsection (1) includes any of the  
2028 following:

2029 (a) The use of force or threats to use force, or the use of  
2030 any other conduct to practice intimidation that causes or will

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2031 reasonably have the effect of causing interference with an  
2032 individual's right to vote.

2033 (b) Knowingly using a deceptive or fraudulent device,  
2034 contrivance, or communication that causes or will reasonably  
2035 have the effect of causing interference with any individual's  
2036 right to vote.

2037 (c) The obstruction of, impediment to, or the interference  
2038 with access to any early voting site, polling place, secure  
2039 ballot intake station, or office of the supervisor of elections  
2040 in a manner that causes or will reasonably have the effect of  
2041 causing interference with any individual's right to vote or  
2042 causing any delay in voting or the voting process.

2043 (3) (a) In any action to enforce this section, there is a  
2044 rebuttable presumption that a person has violated this section  
2045 if he or she openly carries or brandishes a firearm, imitation  
2046 firearm, or toy gun while:

2047 1. Interacting with or observing any person voting or  
2048 attempting to vote;

2049 2. Urging or aiding any person to vote or attempt to vote,  
2050 whether as part of official election administration activities  
2051 or unofficial activities; or

2052 3. Exercising any powers or duties in administering  
2053 elections, including, but not limited to, vote counting,  
2054 canvassing, or certification of returns.

2055 (b) Law enforcement officers acting within the scope of  
2056 their official duties are not subject to the presumption, but a  
2057 court may nonetheless consider a law enforcement officer's  
2058 possession of a firearm in determining whether the officer  
2059 violated this section.

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2060       (4) Any individual aggrieved by a violation of this  
2061 section, any entity whose membership includes individuals  
2062 aggrieved by a violation of this section, any entity whose  
2063 mission would be frustrated by a violation of this section, any  
2064 entity that would expend resources in order to fulfill its  
2065 mission as a result of a violation of this section, the Attorney  
2066 General, or the FLVRA Commission may file a civil action  
2067 alleging a violation of this section. Such a claim may be filed  
2068 pursuant to the Florida Rules of Civil Procedure or in the  
2069 Second Judicial Circuit.

2070       (5) In addition to any remedies that may be imposed under  
2071 s. 97.28, if the court finds a violation of this section, the  
2072 court must order appropriate remedies that are tailored to  
2073 addressing the violation, including, but not limited to,  
2074 providing for additional time for individuals to vote in an  
2075 election, primary, or referendum, and awarding nominal damages  
2076 for any violation and compensatory or punitive damages for any  
2077 willful violation.

2078       Section 16. Section 97.27, Florida Statutes, is created to  
2079 read:

2080       97.27 Democracy canon.-

2081       (1) Any provision of this code, any regulation, charter,  
2082 home rule ordinance, or other enactment of the state or any  
2083 local government relating to the right to vote must be liberally  
2084 construed in favor of the rights enumerated in paragraphs (a)-  
2085 (e), as follows:

2086       (a) Protecting the right to cast a ballot and make the  
2087 ballot valid.

2088       (b) Ensuring eligible individuals seeking voter

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2089 registration are not impaired in being registered.

2090 (c) Ensuring voters are not impaired in voting, including,  
2091 but not limited to, having their votes counted.

2092 (d) Making the fundamental right to vote more accessible to  
2093 eligible voters.

2094 (e) Ensuring equitable access for protected class members  
2095 to opportunities to be registered to vote and to vote.

2096 (2) It is the policy of the state that courts should  
2097 exercise its discretion on any issue, including, but not limited  
2098 to, questions of discovery, procedure, admissibility of  
2099 evidence, or remedies, in favor of the rights enumerated in  
2100 paragraphs (1)(a)-(e) to the extent allowable by law.

2101 Furthermore, it is the policy of the state to promote the free  
2102 flow of documents and information concerning the intent of  
2103 public officials in actions concerning the right to vote.

2104 Accordingly, in any action under this act, the federal Voting  
2105 Rights Act, or a voting-related claim under the State  
2106 Constitution or the United States Constitution, sovereign,  
2107 governmental, executive, legislative, or deliberative immunities  
2108 and privileges, including any evidentiary privileges, may not be  
2109 asserted. However, this section does not apply to any attorney-  
2110 client or attorney work-product privileges.

2111 Section 17. Section 97.28, Florida Statutes, is created to  
2112 read:

2113 97.28 Remedies.—

2114 (1) If a court finds a violation of this act, the court  
2115 must order appropriate remedies that are tailored to address  
2116 such violation and to ensure protected class members have  
2117 equitable opportunities to fully participate in the political

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2118 process and that can be implemented in a manner that will not  
2119 unduly disrupt the administration of an ongoing or imminent  
2120 election. Appropriate remedies include, but need not be limited  
2121 to, any of the following:

- 2122 (a) A district-based method of election.
- 2123 (b) An alternative method of election.
- 2124 (c) New or revised district or redistricting plans.
- 2125 (d) Elimination of staggered elections so that all members  
2126 of the legislative body are elected at the same time.
- 2127 (e) Reasonably increasing the size of the legislative body.
- 2128 (f) Additional voting days or hours.
- 2129 (g) Additional polling places and early voting sites.
- 2130 (h) Additional opportunities to return ballots.
- 2131 (i) Holding special elections.
- 2132 (j) Expanded opportunities for voter registration.
- 2133 (k) Additional voter education.
- 2134 (l) The restoration or addition of individuals to registry  
2135 lists.
- 2136 (m) Retaining jurisdiction for such a period of time as the  
2137 court may deem appropriate.
- 2138 (2) The court shall consider remedies proposed by any party  
2139 to the action or by interested nonparties. The court may not  
2140 give deference or priority to a proposed remedy because it is  
2141 proposed by the state or local government.
- 2142 (3) If necessary to remedy a violation of this act, the  
2143 court is empowered to require a local government to implement  
2144 remedies that are inconsistent with any other law and any  
2145 special act, charter or home rule ordinance, or other enactment  
2146 of the state or local government.

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2147       (4) Notwithstanding the Florida Rules of Civil Procedure or  
2148 any other law, the court must grant a temporary injunction and  
2149 any other preliminary relief requested under this section with  
2150 respect to an upcoming election if the court determines that the  
2151 party is more likely than not to succeed on the merits and that  
2152 it is possible to implement an appropriate temporary remedy that  
2153 would resolve the violation alleged under this section before  
2154 the next general election.

2155       (5) In any action to enforce this act, the court shall  
2156 award reasonable attorney fees and litigation costs, including,  
2157 but not limited to, expert witness fees and expenses, to the  
2158 party that filed an action, other than a state or local  
2159 government, and that prevailed in such action. The party that  
2160 filed the action is deemed to have prevailed when, as a result  
2161 of litigation, the party against whom the action was filed has  
2162 yielded some or all of the relief sought in the action. In the  
2163 case of a party against whom an action was filed and who  
2164 prevailed, the court may not award the party any costs unless  
2165 the court finds the action to be frivolous, unreasonable, or  
2166 without foundation.

2167       Section 18. Paragraph (b) of subsection (4) of section  
2168 98.045, Florida Statutes, is amended to read:

2169       98.045 Administration of voter registration.—

2170       (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL  
2171 STREET ADDRESSES.—

2172       (b) The department shall make the statewide database of  
2173 valid street addresses available to the Department of Highway  
2174 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~  
2175 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles

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2176 shall use the database for purposes of validating the legal  
2177 residential addresses provided in voter registration  
2178 applications received by the Department of Highway Safety and  
2179 Motor Vehicles.

2180 Section 19. Section 100.51, Florida Statutes, is created to  
2181 read:

2182 100.51 General Election Day paid holiday.-In order to  
2183 encourage civic participation, enable more individuals to serve  
2184 as poll workers, and provide additional time for the resolution  
2185 of any issues that arise while a voter is casting his or her  
2186 ballot, General Election Day shall be a paid holiday. A voter is  
2187 entitled to absent himself or herself from any service or  
2188 employment in which he or she is engaged or employed during the  
2189 time the polls are open on General Election Day. A voter who  
2190 absents himself or herself under this section may not be  
2191 penalized in any way, and a deduction may not be made from his  
2192 or her usual salary or wages, on account of his or her absence.

2193 Section 20. Section 101.016, Florida Statutes, is created  
2194 to read:

2195 101.016 Strategic elections equipment reserve.-The Division  
2196 of Elections shall maintain a strategic elections equipment  
2197 reserve of voting systems that may be deployed in the event of  
2198 an emergency as defined in s. 101.732 or upon the occurrence of  
2199 equipment capacity issues due to unexpected voter turnout. The  
2200 reserve must include tabulation equipment and any other  
2201 necessary equipment, including, but not limited to, printers,  
2202 which are in use by each supervisor of elections. In lieu of  
2203 maintaining a physical reserve of such equipment, the division  
2204 may contract with a vendor of voting equipment to provide such

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2205 equipment on an as-needed basis.

2206 Section 21. Section 101.019, Florida Statutes, is repealed.

2207 Section 22. Subsections (1) and (2) of section 101.048,

2208 Florida Statutes, are amended to read:

2209 101.048 Provisional ballots.—

2210 (1) At all elections, a voter claiming to be properly  
2211 registered in this ~~the~~ state and eligible to vote ~~at the~~  
2212 ~~precinct~~ in the election but whose eligibility cannot be  
2213 determined, a person whom an election official asserts is not  
2214 eligible, including, but not limited to, a person to whom notice  
2215 has been sent pursuant to s. 98.075(7), but for whom a final  
2216 determination of eligibility has not been made, and other  
2217 persons specified in the code shall be entitled to vote a  
2218 provisional ballot at any precinct in the county in which the  
2219 voter claims to be registered. Once voted, the provisional  
2220 ballot must be placed in a secrecy envelope and thereafter  
2221 sealed in a provisional ballot envelope. The provisional ballot  
2222 must be deposited in a ballot box. All provisional ballots must  
2223 remain sealed in their envelopes for return to the supervisor of  
2224 elections. The department shall prescribe the form of the  
2225 provisional ballot envelope. A person casting a provisional  
2226 ballot has the right to present written evidence supporting his  
2227 or her eligibility to vote to the supervisor of elections by not  
2228 later than 5 p.m. on the second day following the election.

2229 (2) (a) The county canvassing board shall examine each  
2230 Provisional Ballot Voter's Certificate and Affirmation to  
2231 determine if the person voting that ballot was entitled to vote  
2232 in the county in which ~~at the precinct where~~ the person cast a  
2233 vote in the election and that the person had not already cast a

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2234 ballot in the election. In determining whether a person casting  
2235 a provisional ballot is entitled to vote, the county canvassing  
2236 board shall review the information provided in the Voter's  
2237 Certificate and Affirmation, written evidence provided by the  
2238 person pursuant to subsection (1), information provided in any  
2239 cure affidavit and accompanying supporting documentation  
2240 pursuant to subsection (6), any other evidence presented by the  
2241 supervisor, and, in the case of a challenge, any evidence  
2242 presented by the challenger. A ballot of a person casting a  
2243 provisional ballot must ~~shall~~ be canvassed pursuant to paragraph  
2244 (b) unless the canvassing board determines by a preponderance of  
2245 the evidence that the person was not entitled to vote.

2246 (b) If it is determined that the person was registered and  
2247 entitled to vote in the county in which ~~at the precinct where~~  
2248 the person cast a vote in the election, the canvassing board  
2249 must compare the signature on the Provisional Ballot Voter's  
2250 Certificate and Affirmation or the provisional ballot cure  
2251 affidavit with the signature on the voter's registration or  
2252 precinct register. A provisional ballot may be counted only if:

2253 1. The signature on the voter's certificate or the cure  
2254 affidavit matches the elector's signature in the registration  
2255 books or the precinct register; however, in the case of a cure  
2256 affidavit, the supporting identification listed in subsection  
2257 (6) must also confirm the identity of the elector; or

2258 2. The cure affidavit contains a signature that does not  
2259 match the elector's signature in the registration books or the  
2260 precinct register, but the elector has submitted a current and  
2261 valid Tier 1 form of identification confirming his or her  
2262 identity pursuant to subsection (6).

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For purposes of this paragraph, any canvassing board finding that signatures do not match must be by majority vote and beyond a reasonable doubt.

(c) Any provisional ballot not counted must remain in the envelope containing the Provisional Ballot Voter's Certificate and Affirmation, and the envelope must ~~shall~~ be marked "Rejected as Illegal."

(d) If a provisional ballot is validated following the submission of a cure affidavit, the supervisor must make a copy of the affidavit, affix it to a voter registration application, and immediately process it as a valid request for a signature update pursuant to s. 98.077.

Section 23. Paragraph (a) of subsection (1) and paragraphs (c) and (d) of subsection (3) of section 101.62, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

101.62 Request for vote-by-mail ballots.—

(1) REQUEST.—

(a) The supervisor shall accept a request for a vote-by-mail ballot only from a voter or, if directly instructed by the voter, a member of the voter's immediate family or the voter's legal guardian. A request may be made in person, in writing, by telephone, or through the supervisor's website. The department shall prescribe by rule by October 1, 2023, a uniform statewide application to make a written request for a vote-by-mail ballot which includes fields for all information required in this subsection. One request is deemed sufficient to receive a vote-by-mail ballot for all elections until the voter or the voter's

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2292 designee notifies the supervisor that the elector cancels such  
2293 request through the end of the calendar year of the next  
2294 regularly scheduled general election, unless the voter or the  
2295 voter's designee indicates at the time the request is made the  
2296 elections ~~within such period~~ for which the voter desires to  
2297 receive a vote-by-mail ballot. The supervisor must cancel a  
2298 request for a vote-by-mail ballot when any first-class mail or  
2299 nonforwardable mail sent by the supervisor to the voter is  
2300 returned as undeliverable. If the voter requests a vote-by-mail  
2301 ballot thereafter, the voter must provide or confirm his or her  
2302 current residential address.

2303 (3) DELIVERY OF VOTE-BY-MAIL BALLOTS.—

2304 (c) Except as otherwise provided in paragraph (a) or  
2305 paragraph (b), the supervisor shall mail vote-by-mail ballots  
2306 within 2 business days after receiving a request for such a  
2307 ballot, but no later than the 11th ~~10th~~ day before election day.  
2308 The deadline to submit a request for a ballot to be mailed is 5  
2309 p.m. local time on the 12th day before an upcoming election.

2310 (d) Upon a request for a vote-by-mail ballot, the  
2311 supervisor shall provide a vote-by-mail ballot to each voter by  
2312 whom a request for that ballot has been made, by one of the  
2313 following means:

2314 1. By nonforwardable, return-if-undeliverable mail to the  
2315 voter's current mailing address on file with the supervisor or  
2316 any other address the voter specifies in the request. The  
2317 envelopes must be prominently marked "Do Not Forward."

2318 2. By forwardable mail, e-mail, or facsimile machine  
2319 transmission to absent uniformed services voters and overseas  
2320 voters. The absent uniformed services voter or overseas voter

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2321 may designate in the vote-by-mail ballot request the preferred  
2322 method of transmission. If the voter does not designate the  
2323 method of transmission, the vote-by-mail ballot must be mailed.

2324 3. By personal delivery to the voter after vote-by-mail  
2325 ballots have been mailed and up to 7 p.m. on election day upon  
2326 presentation of the identification required in s. 101.043.

2327 4. By delivery to the voter's designee after vote-by-mail  
2328 ballots have been mailed and up to 7 p.m. on election day. Any  
2329 voter may designate in writing a person to pick up the ballot  
2330 for the voter; ~~however, the person designated may not pick up~~  
2331 ~~more than two vote-by-mail ballots per election, other than the~~  
2332 ~~designee's own ballot, except that additional ballots may be~~  
2333 ~~picked up for members of the designee's immediate family. The~~  
2334 ~~designee shall provide to the supervisor the written~~  
2335 ~~authorization by the voter and a picture identification of the~~  
2336 ~~designee and must complete an affidavit. The designee shall~~  
2337 ~~state in the affidavit that the designee is authorized by the~~  
2338 ~~voter to pick up that ballot and shall indicate if the voter is~~  
2339 ~~a member of the designee's immediate family and, if so, the~~  
2340 ~~relationship. The department shall prescribe the form of the~~  
2341 ~~affidavit. If the supervisor is satisfied that the designee is~~  
2342 ~~authorized to pick up the ballot and that the signature of the~~  
2343 ~~voter on the written authorization matches the signature of the~~  
2344 ~~voter on file, the supervisor must give the ballot to that~~  
2345 ~~designee for delivery to the voter.~~

2346 5. Except as provided in s. 101.655, the supervisor may not  
2347 deliver a vote-by-mail ballot to a voter or a voter's designee  
2348 pursuant to subparagraph 3. or subparagraph 4., respectively,  
2349 during the mandatory early voting period and up to 7 p.m. on

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2350 election day, unless there is an emergency, to the extent that  
 2351 the voter will be unable to go to a designated early voting site  
 2352 in his or her county or to his or her assigned polling place on  
 2353 election day. If a vote-by-mail ballot is delivered, the voter  
 2354 or his or her designee must execute an affidavit affirming to  
 2355 the facts which allow for delivery of the vote-by-mail ballot.  
 2356 The department shall adopt a rule providing for the form of the  
 2357 affidavit.

2358 (7) DEADLINE EXTENSION.—If a deadline under this section  
 2359 falls on a day when the office of the supervisor is scheduled to  
 2360 be closed, the deadline must be extended until the next business  
 2361 day.

2362 Section 24. Paragraph (a) of subsection (1), subsection  
 2363 (2), and subsection (4) of section 101.64, Florida Statutes, are  
 2364 amended to read:

2365 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

2366 (1) (a) The supervisor shall enclose with each vote-by-mail  
 2367 ballot two envelopes: a secrecy envelope, into which the absent  
 2368 voter must ~~elector shall~~ enclose his or her marked ballot; and a  
 2369 postage prepaid mailing envelope, into which the absent voter  
 2370 must ~~elector shall~~ then place the secrecy envelope, which must  
 2371 ~~shall~~ be addressed to the supervisor and also bear on the back  
 2372 side a certificate in substantially the following form:

2373 Note: Please Read Instructions Carefully Before  
 2374 Marking Ballot and Completing Voter's Certificate.

2375 VOTER'S CERTIFICATE

2376 I, . . . ., do solemnly swear or affirm that I am a qualified  
 2377 and registered voter of . . . . County, Florida, and that I have  
 2378 not and will not vote more than one ballot in this election. I



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2408 printed instructions must be in bold font:

2409

2410 READ THESE INSTRUCTIONS CAREFULLY

2411 BEFORE MARKING BALLOT.

2412

2413 1. VERY IMPORTANT. In order to ensure that your vote-by-  
2414 mail ballot will be counted, it should be completed and returned  
2415 as soon as possible so that it can reach the supervisor of  
2416 elections of the county in which your precinct is located no  
2417 later than 7 p.m. on the day of the election. However, if you  
2418 are an overseas voter casting a ballot in a presidential  
2419 preference primary or general election, your vote-by-mail ballot  
2420 must be postmarked or dated no later than the date of the  
2421 election and received by the supervisor of elections of the  
2422 county in which you are registered to vote no later than 10 days  
2423 after the date of the election. Note that the later you return  
2424 your ballot, the less time you will have to cure any signature  
2425 deficiencies, which may cause your ballot not to be counted ~~is~~  
2426 ~~authorized until 5 p.m. on the 2nd day after the election.~~

2427 2. Mark your ballot in secret as instructed on the ballot.  
2428 You must mark your own ballot unless you are unable to do so  
2429 because of blindness, disability, or inability to read or write.

2430 3. Mark only the number of candidates or issue choices for  
2431 a race as indicated on the ballot. If you are allowed to "Vote  
2432 for One" candidate and you vote for more than one candidate,  
2433 your vote in that race will not be counted.

2434 4. Place your marked ballot in the enclosed secrecy  
2435 envelope.

2436 5. Insert the secrecy envelope into the enclosed mailing

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2437 envelope which is addressed to the supervisor.

2438         6. Seal the mailing envelope and completely fill out the  
2439 Voter's Certificate on the back of the mailing envelope.

2440         7. VERY IMPORTANT. In order for your vote-by-mail ballot to  
2441 be counted, you must sign your name or print the last four  
2442 digits of your social security number on the line above (Voter's  
2443 Signature or Last Four Digits of Social Security Number). A  
2444 vote-by-mail ballot will be considered illegal and not be  
2445 counted if the signature or the last four digits of the social  
2446 security number on the voter's certificate do ~~does~~ not match the  
2447 signature or social security number on record. The signature on  
2448 file at the time the supervisor of elections in the county in  
2449 which your precinct is located receives your vote-by-mail ballot  
2450 is the signature that will be used to verify your signature on  
2451 the voter's certificate. If you need to update your signature  
2452 for this election, send your signature update on a voter  
2453 registration application to your supervisor of elections ~~so that~~  
2454 ~~it is received before your vote-by-mail ballot is received.~~

2455         8. VERY IMPORTANT. If you are an overseas voter, you must  
2456 include the date you signed the Voter's Certificate or printed  
2457 the last four digits of your social security number on the line  
2458 above (Date) or your ballot may not be counted.

2459         9. Mail, deliver, or have delivered the completed mailing  
2460 envelope. Be sure there is sufficient postage if mailed. THE  
2461 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE  
2462 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS  
2463 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE  
2464 STATION, AVAILABLE AT EACH EARLY VOTING LOCATION.

2465         10. FELONY NOTICE. It is a felony under Florida law to

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2466 accept any gift, payment, or gratuity in exchange for your vote  
2467 for a candidate. It is also a felony under Florida law to vote  
2468 in an election using a false identity or false address, or under  
2469 any other circumstances making your ballot false or fraudulent.

2470 Section 26. Paragraph (a) and (b) of subsection (1),  
2471 paragraph (c) of subsection (2), and paragraphs (a), (c), and  
2472 (d) of subsection (4) of section 101.68, Florida Statutes, are  
2473 amended to read:

2474 101.68 Canvassing of vote-by-mail ballot.—

2475 (1) (a) The supervisor of the county where the absent  
2476 elector resides shall receive the voted ballot, at which time  
2477 the supervisor shall compare the signature or the last four  
2478 digits of the social security number of the elector on the  
2479 voter's certificate with the signature or the last four digits  
2480 of the social security number of the elector in the registration  
2481 books or the precinct register to determine whether the elector  
2482 is duly registered in the county and must record on the  
2483 elector's registration record that the elector has voted. During  
2484 the signature comparison process, the supervisor may not use any  
2485 knowledge of the political affiliation of the elector whose  
2486 signature is subject to verification.

2487 (b) An elector who dies after casting a vote-by-mail ballot  
2488 but on or before election day must ~~shall~~ remain listed in the  
2489 registration books until the results have been certified for the  
2490 election in which the ballot was cast. The supervisor shall  
2491 safely keep the ballot unopened in his or her office until the  
2492 county canvassing board canvasses the vote pursuant to  
2493 subsection (2).

2494 (2)

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2495 (c)1. The canvassing board must, if the supervisor has not  
2496 already done so, compare the signature or the last four digits  
2497 of the social security number of the elector on the voter's  
2498 certificate or on the vote-by-mail ballot cure affidavit as  
2499 provided in subsection (4) with the signature or last four  
2500 digits of the social security number of the elector in the  
2501 registration books or the precinct register to see that the  
2502 elector is duly registered in the county and to determine the  
2503 legality of that vote-by-mail ballot. A vote-by-mail ballot may  
2504 only be counted if:

2505 a. The signature or last four digits of the social security  
2506 number on the voter's certificate or the cure affidavit match  
2507 ~~matches~~ the elector's signature or last four digits of the  
2508 social security number in the registration books or precinct  
2509 register; however, in the case of a cure affidavit, the  
2510 supporting identification listed in subsection (4) must also  
2511 confirm the identity of the elector; or

2512 b. The cure affidavit contains a signature or the last four  
2513 digits of a social security number which ~~that does~~ not match  
2514 the elector's signature or last four digits of the social  
2515 security number in the registration books or precinct register,  
2516 but the elector has submitted a current and valid Tier 1  
2517 identification pursuant to subsection (4) which confirms the  
2518 identity of the elector.

2519  
2520 For purposes of this subparagraph, any canvassing board finding  
2521 that an elector's signatures or last four digits of the  
2522 elector's social security numbers do not match must be by  
2523 majority vote and beyond a reasonable doubt.

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2524           2. The ballot of an elector who casts a vote-by-mail ballot  
2525 shall be counted even if the elector dies on or before election  
2526 day, as long as, before the death of the voter, the ballot was  
2527 postmarked by the United States Postal Service, date-stamped  
2528 with a verifiable tracking number by a common carrier, or  
2529 already in the possession of the supervisor.

2530           3. A vote-by-mail ballot is not considered illegal if the  
2531 signature or last four digits of the social security number of  
2532 the elector ~~do~~ does not cross the seal of the mailing envelope.

2533           4. ~~If any elector or candidate present believes that a~~  
2534 ~~vote by mail ballot is illegal due to a defect apparent on the~~  
2535 ~~voter's certificate or the cure affidavit, he or she may, at any~~  
2536 ~~time before the ballot is removed from the envelope, file with~~  
2537 ~~the canvassing board a protest against the canvass of that~~  
2538 ~~ballot, specifying the precinct, the voter's certificate or the~~  
2539 ~~cure affidavit, and the reason he or she believes the ballot to~~  
2540 ~~be illegal. A challenge based upon a defect in the voter's~~  
2541 ~~certificate or cure affidavit may not be accepted after the~~  
2542 ~~ballot has been removed from the mailing envelope.~~

2543           5. If the canvassing board determines that a ballot is  
2544 illegal, a member of the board must, without opening the  
2545 envelope, mark across the face of the envelope: "rejected as  
2546 illegal." The cure affidavit, if applicable, the envelope, and  
2547 the ballot therein must ~~shall~~ be preserved in the manner that  
2548 official ballots are preserved.

2549           (4) (a) As soon as practicable, the supervisor shall, on  
2550 behalf of the county canvassing board, attempt to notify an  
2551 elector who has returned a vote-by-mail ballot that does not  
2552 include the elector's signature or last four digits of the

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2553 elector's social security number or contains a signature or the  
2554 last four digits of a social security number that ~~do~~ ~~does~~ not  
2555 match the elector's signature or last four digits of the  
2556 elector's social security number in the registration books or  
2557 precinct register by:

2558 1. Notifying the elector of the signature or last four  
2559 digits of the social security number deficiency by e-mail and  
2560 directing the elector to the cure affidavit and instructions on  
2561 the supervisor's website;

2562 2. Notifying the elector of the signature or last four  
2563 digits of the social security number deficiency by text message  
2564 and directing the elector to the cure affidavit and instructions  
2565 on the supervisor's website; or

2566 3. Notifying the elector of the signature or last four  
2567 digits of the social security number deficiency by telephone and  
2568 directing the elector to the cure affidavit and instructions on  
2569 the supervisor's website.

2570  
2571 In addition to the notification required under subparagraph 1.,  
2572 subparagraph 2., or subparagraph 3., the supervisor must notify  
2573 the elector of the signature or last four digits of the social  
2574 security number deficiency by first-class mail and direct the  
2575 elector to the cure affidavit and instructions on the  
2576 supervisor's website. Beginning the day before the election, the  
2577 supervisor is not required to provide notice of the signature  
2578 deficiency by first-class mail, but shall continue to provide  
2579 notice as required under subparagraph 1., subparagraph 2., or  
2580 subparagraph 3.

2581 (c) The elector must complete a cure affidavit in

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2582 substantially the following form:

2583  
2584 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

2585  
2586 I, . . . ., am a qualified voter in this election and  
2587 registered voter of . . . . County, Florida. I do solemnly swear or  
2588 affirm that I requested and returned the vote-by-mail ballot and  
2589 that I have not and will not vote more than one ballot in this  
2590 election. I understand that if I commit or attempt any fraud in  
2591 connection with voting, vote a fraudulent ballot, or vote more  
2592 than once in an election, I may be convicted of a felony of the  
2593 third degree and fined up to \$5,000 and imprisoned for up to 5  
2594 years. I understand that my failure to sign this affidavit means  
2595 that my vote-by-mail ballot will be invalidated.

2596  
2597 . . . (Voter's Signature or Last Four Digits of Social Security  
2598 Number) . . .

2599 . . . (Address) . . .

2600  
2601 (d) Instructions must accompany the cure affidavit in  
2602 substantially the following form:

2603  
2604 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE  
2605 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
2606 BALLOT NOT TO COUNT.

2607  
2608 1. In order to ensure that your vote-by-mail ballot will be  
2609 counted, your affidavit should be completed and returned as soon  
2610 as possible so that it can reach the supervisor of elections of

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2611 the county in which your precinct is located no later than 5  
2612 p.m. on the 2nd day after the election.

2613 2. You must sign your name or print the last four digits of  
2614 your social security number on the line above (Voter's Signature  
2615 or Last Four Digits of Social Security Number).

2616 3. You must make a copy of one of the following forms of  
2617 identification:

2618 a. Tier 1 identification.—Current and valid identification  
2619 that includes your name and photograph: Florida driver license;  
2620 Florida identification card issued by the Department of Highway  
2621 Safety and Motor Vehicles; United States passport; debit or  
2622 credit card; military identification; student identification;  
2623 retirement center identification; neighborhood association  
2624 identification; public assistance identification; veteran health  
2625 identification card issued by the United States Department of  
2626 Veterans Affairs; a Florida license to carry a concealed weapon  
2627 or firearm; or an employee identification card issued by any  
2628 branch, department, agency, or entity of the Federal Government,  
2629 the state, a county, or a municipality; or

2630 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1  
2631 FORM OF IDENTIFICATION, identification that shows your name and  
2632 current residence address: current utility bill, bank statement,  
2633 government check, paycheck, or government document (excluding  
2634 voter information card).

2635 4. Place the envelope bearing the affidavit into a mailing  
2636 envelope addressed to the supervisor. Insert a copy of your  
2637 identification in the mailing envelope. Mail (if time permits),  
2638 deliver, or have delivered the completed affidavit along with  
2639 the copy of your identification to your county supervisor of

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2640 elections. Be sure there is sufficient postage if mailed and  
2641 that the supervisor's address is correct. Remember, your  
2642 information MUST reach your county supervisor of elections no  
2643 later than 5 p.m. on the 2nd day after the election, or your  
2644 ballot will not count.

2645 5. Alternatively, you may fax or e-mail your completed  
2646 affidavit and a copy of your identification to the supervisor of  
2647 elections. If e-mailing, please provide these documents as  
2648 attachments.

2649 Section 27. Section 101.69, Florida Statutes, is amended to  
2650 read:

2651 101.69 Voting in person; return of vote-by-mail ballot.—

2652 (1) The provisions of this code may ~~shall~~ not be construed  
2653 to prohibit any voter ~~elector~~ from voting in person at the  
2654 voter's ~~elector's~~ precinct on the day of an election or at an  
2655 early voting site, notwithstanding that the voter ~~elector~~ has  
2656 requested a vote-by-mail ballot for that election. A voter ~~An~~  
2657 ~~elector~~ who has returned a voted vote-by-mail ballot to the  
2658 supervisor, however, is deemed to have cast his or her ballot  
2659 and is not entitled to vote another ballot or to have a  
2660 provisional ballot counted by the county canvassing board. A  
2661 voter ~~An elector~~ who has received a vote-by-mail ballot and has  
2662 not returned the voted ballot to the supervisor, but desires to  
2663 vote in person, shall return the ballot, whether voted or not,  
2664 to the election board in the voter's ~~elector's~~ precinct or to an  
2665 early voting site. The returned ballot must ~~shall~~ be marked  
2666 "canceled" by the board and placed with other canceled ballots.  
2667 However, if the voter ~~elector~~ does not return the ballot and the  
2668 election official:

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2669 (a) Confirms that the supervisor has received the voter's  
2670 ~~elector's~~ vote-by-mail ballot, the voter may ~~elector shall~~ not  
2671 be allowed to vote in person. If the voter ~~elector~~ maintains  
2672 that he or she has not returned the vote-by-mail ballot or  
2673 remains eligible to vote, the voter must ~~elector shall~~ be  
2674 provided a provisional ballot as provided in s. 101.048.

2675 (b) Confirms that the supervisor has not received the  
2676 voter's ~~elector's~~ vote-by-mail ballot, the voter must ~~elector~~  
2677 ~~shall~~ be allowed to vote in person as provided in this code. The  
2678 voter's ~~elector's~~ vote-by-mail ballot, if subsequently received,  
2679 may shall not be counted and must shall remain in the mailing  
2680 envelope, and the envelope must shall be marked "Rejected as  
2681 Illegal."

2682 (c) Cannot determine whether the supervisor has received  
2683 the voter's ~~elector's~~ vote-by-mail ballot, the voter ~~elector~~ may  
2684 vote a provisional ballot as provided in s. 101.048.

2685 (2) (a) The supervisor shall allow a voter ~~an elector~~ who  
2686 has received a vote-by-mail ballot to physically return a voted  
2687 vote-by-mail ballot to the supervisor by placing the return mail  
2688 envelope containing his or her marked ballot in a secure ballot  
2689 intake station. Secure ballot intake stations must shall be  
2690 placed at the main office of the supervisor, at each permanent  
2691 branch office of the supervisor which meets the criteria set  
2692 forth in s. 101.657(1) (a) for branch offices used for early  
2693 voting and which is open for at least the minimum number of  
2694 hours prescribed by s. 98.015(4), and at each early voting site.  
2695 Secure ballot intake stations may also be placed at any other  
2696 site that would otherwise qualify as an early voting site under  
2697 s. 101.657(1). Secure ballot intake stations must be

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2698 geographically located so as to provide all voters in the county  
2699 with an equal opportunity to cast a ballot, insofar as is  
2700 practicable. ~~Except for secure ballot intake stations at an~~  
2701 ~~office of the supervisor, a secure ballot intake station may~~  
2702 ~~only be used during the county's early voting hours of operation~~  
2703 ~~and must be monitored in person by an employee of the~~  
2704 ~~supervisor's office.~~ A secure ballot intake station at an office  
2705 of the supervisor must be ~~continuously~~ monitored ~~in person~~ by an  
2706 ~~employee~~ of the supervisor's office when the secure ballot  
2707 intake station is accessible for deposit of ballots.

2708 (b) A supervisor shall designate each secure ballot intake  
2709 station location at least 30 days before an election. The  
2710 supervisor shall provide the address of each secure ballot  
2711 intake station location to the division at least 30 days before  
2712 an election. After a secure ballot intake station location has  
2713 been designated, it may not be moved or changed except as  
2714 approved by the division to correct a violation of this  
2715 subsection.

2716 (c)1. On each day of early voting, all secure ballot intake  
2717 stations must be emptied at the end of early voting hours and  
2718 all ballots retrieved from the secure ballot intake stations  
2719 must be returned to the supervisor's office.

2720 2. For secure ballot intake stations located at an office  
2721 of the supervisor, all ballots must be retrieved before the  
2722 secure ballot intake station is no longer monitored by ~~an~~  
2723 ~~employee~~ of the supervisor.

2724 3. Employees of the supervisor must comply with procedures  
2725 for the chain of custody of ballots as required by s.  
2726 101.015(4).

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2727 ~~(3) If any secure ballot intake station is left accessible~~  
2728 ~~for ballot receipt other than as authorized by this section, the~~  
2729 ~~supervisor is subject to a civil penalty of \$25,000. The~~  
2730 ~~division is authorized to enforce this provision.~~

2731 Section 28. Subsection (1) of section 104.42, Florida  
2732 Statutes, is amended to read:

2733 104.42 Fraudulent registration and illegal voting;  
2734 investigation.—

2735 (1) The supervisor of elections is authorized to  
2736 investigate fraudulent registrations and illegal voting and to  
2737 report his or her findings to the local state attorney ~~and the~~  
2738 ~~Office of Election Crimes and Security.~~

2739 Section 29. This act shall take effect July 1, 2024.