

Tab 1	SB 112 by Thompson ; (Similar to H 0361) Absentee Voting
Tab 2	CS/SB 158 by TR, Hutson (CO-INTRODUCERS) Negron ; (Identical to CS/H 0083) Identification Cards and Driver Licenses
Tab 3	SB 388 by Detert ; (Compare to H 7003) Individuals with Disabilities

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, TOURISM, AND ECONOMIC
DEVELOPMENT**

Senator Latvala, Chair
Senator Clemens, Vice Chair

MEETING DATE: Tuesday, November 3, 2015

TIME: 2:00—3:30 p.m.

PLACE: 301 Senate Office Building

MEMBERS: Senator Latvala, Chair; Senator Clemens, Vice Chair; Senators Brandes, Detert, Diaz de la Portilla, Gibson, Hukill, Sachs, and Thompson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 112 Thompson (Similar H 361)	Absentee Voting; Replacing the term "absentee ballot" with the term "vote-by-mail ballot", etc. EE 10/21/2015 Favorable ATD 11/03/2015 Favorable RC	Favorable Yeas 8 Nays 0
2	CS/SB 158 Transportation / Hutson (Identical CS/H 83)	Identification Cards and Driver Licenses; Providing for a person's status as a lifetime freshwater fishing, saltwater fishing, hunting, or sportsman licensee, or boater safety identification cardholder, to be indicated on his or her identification card or driver license upon payment of an additional fee and presentation of the person's lifetime freshwater fishing, saltwater fishing, hunting, or sportsman's license, or boater safety identification card; providing a waiver of the replacement fee in certain circumstances, etc. TR 10/08/2015 Fav/CS ATD 11/03/2015 Favorable AP	Favorable Yeas 8 Nays 0
3	SB 388 Detert (Compare H 7003)	Individuals with Disabilities; Requiring the Department of Economic Opportunity, in consultation with other entities, to create the Florida Unique Abilities Partner Program; defining terms; authorizing a business entity to apply to the department for designation; authorizing the department to allow a designated business entity to display a logo, etc. CM 10/20/2015 Favorable ATD 11/03/2015 Favorable FP	Favorable Yeas 8 Nays 0
4	Presentation on the Governor's Economic Incentives Proposal		Presented
Other Related Meeting Documents			

By Senator Thompson

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1 A bill to be entitled

2 An act relating to absentee voting; amending ss.
 3 97.012, 97.021, 97.026, 98.065, 98.077, 98.0981,
 4 98.255, 100.025, 101.051, 101.151, 101.5612, 101.5614,
 5 101.572, 101.591, 101.6105, 101.62, 101.64, 101.65,
 6 101.655, 101.661, 101.662, 101.663, 101.67, 101.68,
 7 101.69, 101.6921, 101.6923, 101.6925, 101.694,
 8 101.6951, 101.6952, 101.697, 102.031, 102.141,
 9 102.168, 104.047, 104.0515, 104.0616, 104.17, 117.05,
 10 394.459, 741.406, and 916.107, F.S.; replacing the
 11 term "absentee ballot" with the term "vote-by-mail
 12 ballot"; conforming terminology to changes made by the
 13 act; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Subsection (13) of section 97.012, Florida
 18 Statutes, is amended to read:

19 97.012 Secretary of State as chief election officer.—The
 20 Secretary of State is the chief election officer of the state,
 21 and it is his or her responsibility to:

22 (13) Designate an office within the department to be
 23 responsible for providing information regarding voter
 24 registration procedures and vote-by-mail ~~absentee~~ ballot
 25 procedures to absent uniformed services voters and overseas
 26 voters.

27 Section 2. Subsections (1) and (13) of section 97.021,
 28 Florida Statutes, are amended to read:

29 97.021 Definitions.—For the purposes of this code, except

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30 where the context clearly indicates otherwise, the term:

31 (1) "Absent elector" means any registered and qualified
32 voter who casts a vote-by-mail ~~an absentee~~ ballot.

33 (13) "Election costs" shall include, but not be limited to,
34 expenditures for all paper supplies such as envelopes,
35 instructions to voters, affidavits, reports, ballot cards,
36 ballot booklets for vote-by-mail ~~absentee~~ voters, postage,
37 notices to voters; advertisements for registration book
38 closings, testing of voting equipment, sample ballots, and
39 polling places; forms used to qualify candidates; polling site
40 rental and equipment delivery and pickup; data processing time
41 and supplies; election records retention; and labor costs,
42 including those costs uniquely associated with vote-by-mail
43 ~~absentee~~ ballot preparation, poll workers, and election night
44 canvass.

45 Section 3. Section 97.026, Florida Statutes, is amended to
46 read:

47 97.026 Forms to be available in alternative formats and via
48 the Internet.—It is the intent of the Legislature that all forms
49 required to be used in chapters 97-106 shall be made available
50 upon request, in alternative formats. Such forms shall include
51 vote-by-mail ~~absentee~~ ballots as alternative formats for such
52 ballots become available and the Division of Elections is able
53 to certify systems that provide them. Whenever possible, such
54 forms, with the exception of vote-by-mail ~~absentee~~ ballots,
55 shall be made available by the Department of State via the
56 Internet. Sections that contain such forms include, but are not
57 limited to, ss. 97.051, 97.052, 97.053, 97.057, 97.058, 97.0583,
58 97.071, 97.073, 97.1031, 98.075, 99.021, 100.361, 100.371,

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59 101.045, 101.171, 101.20, 101.6103, 101.62, 101.64, 101.65,
60 101.657, 105.031, 106.023, and 106.087.

61 Section 4. Paragraph (c) of subsection (4) of section
62 98.065, Florida Statutes, is amended to read:

63 98.065 Registration list maintenance programs.—

64 (4)

65 (c) The supervisor must designate as inactive all voters
66 who have been sent an address confirmation final notice and who
67 have not returned the postage prepaid, preaddressed return form
68 within 30 days or for which the final notice has been returned
69 as undeliverable. Names on the inactive list may not be used to
70 calculate the number of signatures needed on any petition. A
71 voter on the inactive list may be restored to the active list of
72 voters upon the voter updating his or her registration,
73 requesting a vote-by-mail ~~an absentee~~ ballot, or appearing to
74 vote. However, if the voter does not update his or her voter
75 registration information, request a vote-by-mail ~~an absentee~~
76 ballot, or vote by the second general election after being
77 placed on the inactive list, the voter's name shall be removed
78 from the statewide voter registration system and the voter shall
79 be required to reregister to have his or her name restored to
80 the statewide voter registration system.

81 Section 5. Subsection (4) of section 98.077, Florida
82 Statutes, is amended to read:

83 98.077 Update of voter signature.—

84 (4) All signature updates for use in verifying vote-by-mail
85 ~~absentee~~ and provisional ballots must be received by the
86 appropriate supervisor of elections no later than the start of
87 the canvassing of vote-by-mail ~~absentee~~ ballots by the

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88 canvassing board. The signature on file at the start of the
89 canvass of the vote-by-mail ~~absentee~~ ballots is the signature
90 that shall be used in verifying the signature on the vote-by-
91 mail ~~absentee~~ and provisional ballot certificates.

92 Section 6. Paragraphs (b) and (d) of subsection (1) and
93 paragraph (a) of subsection (2) of section 98.0981, Florida
94 Statutes, are amended to read:

95 98.0981 Reports; voting history; statewide voter
96 registration system information; precinct-level election
97 results; book closing statistics.—

98 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM
99 INFORMATION.—

100 (b) After receipt of the information in paragraph (a), the
101 department shall prepare a report in electronic format which
102 contains the following information, separately compiled for the
103 primary and general election for all voters qualified to vote in
104 either election:

105 1. The unique identifier assigned to each qualified voter
106 within the statewide voter registration system;

107 2. All information provided by each qualified voter on his
108 or her voter registration application pursuant to s. 97.052(2),
109 except that which is confidential or exempt from public records
110 requirements;

111 3. Each qualified voter's date of registration;

112 4. Each qualified voter's current state representative
113 district, state senatorial district, and congressional district,
114 assigned by the supervisor of elections;

115 5. Each qualified voter's current precinct; and

116 6. Voting history as transmitted under paragraph (a) to

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117 include whether the qualified voter voted at a precinct
118 location, voted during the early voting period, voted by vote-
119 by-mail ~~absentee~~ ballot, attempted to vote by vote-by-mail
120 ~~absentee~~ ballot that was not counted, attempted to vote by
121 provisional ballot that was not counted, or did not vote.

122 (d) File specifications are as follows:

123 1. The file shall contain records designated by the
124 categories below for all qualified voters who, regardless of the
125 voter's county of residence or active or inactive registration
126 status at the book closing for the corresponding election that
127 the file is being created for:

128 a. Voted a regular ballot at a precinct location.

129 b. Voted at a precinct location using a provisional ballot
130 that was subsequently counted.

131 c. Voted a regular ballot during the early voting period.

132 d. Voted during the early voting period using a provisional
133 ballot that was subsequently counted.

134 e. Voted by vote-by-mail ~~absentee~~ ballot.

135 f. Attempted to vote by vote-by-mail ~~absentee~~ ballot, but
136 the ballot was not counted.

137 g. Attempted to vote by provisional ballot, but the ballot
138 was not counted in that election.

139 2. Each file shall be created or converted into a tab-
140 delimited format.

141 3. File names shall adhere to the following convention:

142 a. Three-character county identifier as established by the
143 department followed by an underscore.

144 b. Followed by four-character file type identifier of
145 'VH03' followed by an underscore.

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146 c. Followed by FVRS election ID followed by an underscore.
 147 d. Followed by Date Created followed by an underscore.
 148 e. Date format is YYYYMMDD.
 149 f. Followed by Time Created - HHMMSS.
 150 g. Followed by ".txt".

151 4. Each record shall contain the following columns: Record
 152 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote
 153 Date, Vote History Code, Precinct, Congressional District, House
 154 District, Senate District, County Commission District, and
 155 School Board District.

156 (2) PRECINCT-LEVEL ELECTION RESULTS.—

157 (a) Within 30 days after certification by the Elections
 158 Canvassing Commission of a presidential preference primary
 159 election, special election, primary election, or general
 160 election, the supervisors of elections shall collect and submit
 161 to the department precinct-level election results for the
 162 election in a uniform electronic format specified by paragraph
 163 (c). The precinct-level election results shall be compiled
 164 separately for the primary or special primary election that
 165 preceded the general or special general election, respectively.
 166 The results shall specifically include for each precinct the
 167 total of all ballots cast for each candidate or nominee to fill
 168 a national, state, county, or district office or proposed
 169 constitutional amendment, with subtotals for each candidate and
 170 ballot type, unless fewer than 10 voters voted a ballot type.
 171 "All ballots cast" means ballots cast by voters who cast a
 172 ballot whether at a precinct location, by vote-by-mail ~~absentee~~
 173 ballot including overseas vote-by-mail ~~absentee~~ ballots, during
 174 the early voting period, or by provisional ballot.

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175 Section 7. Subsection (1) of section 98.255, Florida
176 Statutes, is amended to read:

177 98.255 Voter education programs.—

178 (1) The Department of State shall adopt rules prescribing
179 minimum standards for nonpartisan voter education. The standards
180 shall, at a minimum, address:

181 (a) Voter registration;

182 (b) Balloting procedures, by mail ~~absentee~~ and polling
183 place;

184 (c) Voter rights and responsibilities;

185 (d) Distribution of sample ballots; and

186 (e) Public service announcements.

187 Section 8. Section 100.025, Florida Statutes, is amended to
188 read:

189 100.025 Citizens residing overseas; notice of elections.—A
190 citizen of this state who is residing overseas may notify the
191 supervisor of elections in the county where he or she is
192 registered of his or her overseas address; and, thereafter, the
193 supervisor shall notify such citizen at least 90 days prior to
194 regular primary and general elections and when possible prior to
195 any special election so that such citizen may follow the
196 procedures for ~~absentee~~ voting by mail provided by law.

197 Section 9. Subsection (3) of section 101.051, Florida
198 Statutes, is amended to read:

199 101.051 Electors seeking assistance in casting ballots;
200 oath to be executed; forms to be furnished.—

201 (3) Any elector applying to cast a vote-by-mail ~~an absentee~~
202 ballot in the office of the supervisor, in any election, who
203 requires assistance to vote by reason of blindness, disability,

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204 or inability to read or write may request the assistance of some
205 person of his or her own choice, other than the elector's
206 employer, an agent of the employer, or an officer or agent of
207 his or her union, in casting his or her vote-by-mail ~~absentee~~
208 ballot.

209 Section 10. Paragraph (b) of subsection (1) of section
210 101.151, Florida Statutes, is amended to read:

211 101.151 Specifications for ballots.—

212 (1)

213 (b) Early voting sites may employ a ballot-on-demand
214 production system to print individual marksense ballots,
215 including provisional ballots, for eligible electors pursuant to
216 s. 101.657. Ballot-on-demand technology may be used to produce
217 marksense vote-by-mail ~~absentee~~ and election-day ballots.

218 Section 11. Subsection (3) of section 101.5612, Florida
219 Statutes, is amended to read:

220 101.5612 Testing of tabulating equipment.—

221 (3) For electronic or electromechanical voting systems
222 configured to tabulate vote-by-mail ~~absentee~~ ballots at a
223 central or regional site, the public testing shall be conducted
224 by processing a preaudited group of ballots so produced as to
225 record a predetermined number of valid votes for each candidate
226 and on each measure and to include one or more ballots for each
227 office which have activated voting positions in excess of the
228 number allowed by law in order to test the ability of the
229 automatic tabulating equipment to reject such votes. If any
230 error is detected, the cause therefor shall be corrected and an
231 errorless count shall be made before the automatic tabulating
232 equipment is approved. The test shall be repeated and errorless

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233 results achieved immediately before the start of the official
234 count of the ballots and again after the completion of the
235 official count. The programs and ballots used for testing shall
236 be sealed and retained under the custody of the county
237 canvassing board.

238 Section 12. Paragraph (a) of subsection (5) and subsections
239 (7) and (8) of section 101.5614, Florida Statutes, are amended
240 to read:

241 101.5614 Canvass of returns.—

242 (5) (a) If any vote-by-mail ~~absentee~~ ballot is physically
243 damaged so that it cannot properly be counted by the automatic
244 tabulating equipment, a true duplicate copy shall be made of the
245 damaged ballot in the presence of witnesses and substituted for
246 the damaged ballot. Likewise, a duplicate ballot shall be made
247 of a vote-by-mail ~~an absentee~~ ballot containing an overvoted
248 race or a marked vote-by-mail ~~absentee~~ ballot in which every
249 race is undervoted which shall include all valid votes as
250 determined by the canvassing board based on rules adopted by the
251 division pursuant to s. 102.166(4). All duplicate ballots shall
252 be clearly labeled "duplicate," bear a serial number which shall
253 be recorded on the defective ballot, and be counted in lieu of
254 the defective ballot. After a ballot has been duplicated, the
255 defective ballot shall be placed in an envelope provided for
256 that purpose, and the duplicate ballot shall be tallied with the
257 other ballots for that precinct.

258 (7) Vote-by-mail ~~Absentee~~ ballots may be counted by
259 automatic tabulating equipment if they have been marked in a
260 manner which will enable them to be properly counted by such
261 equipment.

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262 (8) The return printed by the automatic tabulating
263 equipment, to which has been added the return of write-in, vote-
264 by-mail absentee, and manually counted votes and votes from
265 provisional ballots, shall constitute the official return of the
266 election upon certification by the canvassing board. Upon
267 completion of the count, the returns shall be open to the
268 public. A copy of the returns may be posted at the central
269 counting place or at the office of the supervisor of elections
270 in lieu of the posting of returns at individual precincts.

271 Section 13. Section 101.572, Florida Statutes, is amended
272 to read:

273 101.572 Public inspection of ballots.—The official ballots
274 and ballot cards received from election boards and removed from
275 vote-by-mail absentee ballot mailing envelopes shall be open for
276 public inspection or examination while in the custody of the
277 supervisor of elections or the county canvassing board at any
278 reasonable time, under reasonable conditions; however, no
279 persons other than the supervisor of elections or his or her
280 employees or the county canvassing board shall handle any
281 official ballot or ballot card. If the ballots are being
282 examined prior to the end of the contest period in s. 102.168,
283 the supervisor of elections shall make a reasonable effort to
284 notify all candidates whose names appear on such ballots or
285 ballot cards by telephone or otherwise of the time and place of
286 the inspection or examination. All such candidates, or their
287 representatives, shall be allowed to be present during the
288 inspection or examination.

289 Section 14. Paragraphs (a) and (b) of subsection (2) of
290 section 101.591, Florida Statutes, are amended to read:

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291 101.591 Voting system audit.—

292 (2) (a) A manual audit shall consist of a public manual
293 tally of the votes cast in one randomly selected race that
294 appears on the ballot. The tally sheet shall include election-
295 day, vote-by-mail absentee, early voting, provisional, and
296 overseas ballots, in at least 1 percent but no more than 2
297 percent of the precincts chosen at random by the county
298 canvassing board or the local board responsible for certifying
299 the election. If 1 percent of the precincts is less than one
300 entire precinct, the audit shall be conducted using at least one
301 precinct chosen at random by the county canvassing board or the
302 local board responsible for certifying the election. Such
303 precincts shall be selected at a publicly noticed canvassing
304 board meeting.

305 (b) An automated audit shall consist of a public automated
306 tally of the votes cast across every race that appears on the
307 ballot. The tally sheet shall include election day, vote-by-mail
308 ~~absentee~~, early voting, provisional, and overseas ballots in at
309 least 20 percent of the precincts chosen at random by the county
310 canvassing board or the local board responsible for certifying
311 the election. Such precincts shall be selected at a publicly
312 noticed canvassing board meeting.

313 Section 15. Section 101.6105, Florida Statutes, is amended
314 to read:

315 101.6105 Vote-by-mail Absentee voting.—The provisions of
316 the election code relating to vote-by-mail absentee voting and
317 vote-by-mail absentee ballots shall apply to elections under ss.
318 101.6101-101.6107 only insofar as they do not conflict with the
319 provisions of ss. 101.6101-101.6107.

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320 Section 16. Section 101.62, Florida Statutes, is amended to
321 read:

322 101.62 Request for vote-by-mail ~~absentee~~ ballots.-

323 (1) (a) The supervisor shall accept a request for a vote-by-
324 mail ~~an absentee~~ ballot from an elector in person or in writing.

325 One request shall be deemed sufficient to receive a vote-by-mail
326 ~~an absentee~~ ballot for all elections through the end of the

327 calendar year of the second ensuing regularly scheduled general
328 election, unless the elector or the elector's designee indicates

329 at the time the request is made the elections for which the
330 elector desires to receive a vote-by-mail ~~an absentee~~ ballot.

331 Such request may be considered canceled when any first-class
332 mail sent by the supervisor to the elector is returned as
333 undeliverable.

334 (b) The supervisor may accept a written or telephonic
335 request for a vote-by-mail ~~an absentee~~ ballot to be mailed to an

336 elector's address on file in the Florida Voter Registration
337 System from the elector, or, if directly instructed by the

338 elector, a member of the elector's immediate family, or the
339 elector's legal guardian; if the ballot is requested to be

340 mailed to an address other than the elector's address on file in
341 the Florida Voter Registration System, the request must be made

342 in writing and signed by the elector. However, an absent

343 uniformed service voter or an overseas voter seeking a vote-by-
344 mail ~~an absentee~~ ballot is not required to submit a signed,

345 written request for a vote-by-mail ~~an absentee~~ ballot that is
346 being mailed to an address other than the elector's address on

347 file in the Florida Voter Registration System. For purposes of
348 this section, the term "immediate family" has the same meaning

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349 as specified in paragraph (4) (c). The person making the request
350 must disclose:

- 351 1. The name of the elector for whom the ballot is
352 requested.
- 353 2. The elector's address.
- 354 3. The elector's date of birth.
- 355 4. The requester's name.
- 356 5. The requester's address.
- 357 6. The requester's driver license number, if available.
- 358 7. The requester's relationship to the elector.
- 359 8. The requester's signature (written requests only).

360 (c) Upon receiving a request for a vote-by-mail ~~an absentee~~
361 ballot from an absent voter, the supervisor of elections shall
362 notify the voter of the free access system that has been
363 designated by the department for determining the status of his
364 or her vote-by-mail ~~absentee~~ ballot.

365 (2) A request for a vote-by-mail ~~an absentee~~ ballot to be
366 mailed to a voter must be received no later than 5 p.m. on the
367 sixth day before the election by the supervisor of elections.
368 The supervisor of elections shall mail vote-by-mail ~~absentee~~
369 ballots to voters requesting ballots by such deadline no later
370 than 4 days before the election.

371 (3) For each request for a vote-by-mail ~~an absentee~~ ballot
372 received, the supervisor shall record the date the request was
373 made, the date the vote-by-mail ~~absentee~~ ballot was delivered to
374 the voter or the voter's designee or the date the vote-by-mail
375 ~~absentee~~ ballot was delivered to the post office or other
376 carrier, the date the ballot was received by the supervisor, the
377 absence of the voter's signature on the voter's certificate, if

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378 applicable, and such other information he or she may deem
379 necessary. This information shall be provided in electronic
380 format as provided by rule adopted by the division. The
381 information shall be updated and made available no later than 8
382 a.m. of each day, including weekends, beginning 60 days before
383 the primary until 15 days after the general election and shall
384 be contemporaneously provided to the division. This information
385 shall be confidential and exempt from s. 119.07(1) and shall be
386 made available to or reproduced only for the voter requesting
387 the ballot, a canvassing board, an election official, a
388 political party or official thereof, a candidate who has filed
389 qualification papers and is opposed in an upcoming election, and
390 registered political committees for political purposes only.

391 (4) (a) No later than 45 days before each presidential
392 preference primary election, primary election, and general
393 election, the supervisor of elections shall send a vote-by-mail
394 ~~an absentee~~ ballot as provided in subparagraph (c)2. to each
395 absent uniformed services voter and to each overseas voter who
396 has requested a vote-by-mail ~~an absentee~~ ballot.

397 (b) The supervisor of elections shall mail a vote-by-mail
398 ~~an absentee~~ ballot to each absent qualified voter, other than
399 those listed in paragraph (a), who has requested such a ballot,
400 between the 35th and 28th days before the presidential
401 preference primary election, primary election, and general
402 election. Except as otherwise provided in subsection (2) and
403 after the period described in this paragraph, the supervisor
404 shall mail vote-by-mail ~~absentee~~ ballots within 2 business days
405 after receiving a request for such a ballot.

406 (c) The supervisor shall provide a vote-by-mail ~~an absentee~~

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407 ballot to each elector by whom a request for that ballot has
408 been made by one of the following means:

409 1. By nonforwardable, return-if-undeliverable mail to the
410 elector's current mailing address on file with the supervisor or
411 any other address the elector specifies in the request.

412 2. By forwardable mail, e-mail, or facsimile machine
413 transmission to absent uniformed services voters and overseas
414 voters. The absent uniformed services voter or overseas voter
415 may designate in the vote-by-mail ~~absentee~~ ballot request the
416 preferred method of transmission. If the voter does not
417 designate the method of transmission, the vote-by-mail ~~absentee~~
418 ballot shall be mailed.

419 3. By personal delivery before 7 p.m. on election day to
420 the elector, upon presentation of the identification required in
421 s. 101.043.

422 4. By delivery to a designee on election day or up to 5
423 days prior to the day of an election. Any elector may designate
424 in writing a person to pick up the ballot for the elector;
425 however, the person designated may not pick up more than two
426 vote-by-mail ~~absentee~~ ballots per election, other than the
427 designee's own ballot, except that additional ballots may be
428 picked up for members of the designee's immediate family. For
429 purposes of this section, "immediate family" means the
430 designee's spouse or the parent, child, grandparent, or sibling
431 of the designee or of the designee's spouse. The designee shall
432 provide to the supervisor the written authorization by the
433 elector and a picture identification of the designee and must
434 complete an affidavit. The designee shall state in the affidavit
435 that the designee is authorized by the elector to pick up that

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436 ballot and shall indicate if the elector is a member of the
437 designee's immediate family and, if so, the relationship. The
438 department shall prescribe the form of the affidavit. If the
439 supervisor is satisfied that the designee is authorized to pick
440 up the ballot and that the signature of the elector on the
441 written authorization matches the signature of the elector on
442 file, the supervisor shall give the ballot to that designee for
443 delivery to the elector.

444 5. Except as provided in s. 101.655, the supervisor may not
445 deliver a vote-by-mail ~~an absentee~~ ballot to an elector or an
446 elector's immediate family member on the day of the election
447 unless there is an emergency, to the extent that the elector
448 will be unable to go to his or her assigned polling place. If a
449 vote-by-mail ~~an absentee~~ ballot is delivered, the elector or his
450 or her designee shall execute an affidavit affirming to the
451 facts which allow for delivery of the vote-by-mail ~~absentee~~
452 ballot. The department shall adopt a rule providing for the form
453 of the affidavit.

454 (5) If the department is unable to certify candidates for
455 an election in time to comply with paragraph (4) (a), the
456 Department of State is authorized to prescribe rules for a
457 ballot to be sent to absent uniformed services voters and
458 overseas voters.

459 (6) Only ~~Nothing other than~~ the materials necessary to vote
460 by mail may ~~absentee~~ shall be mailed or delivered with any vote-
461 by-mail ~~absentee~~ ballot.

462 Section 17. Subsections (1) and (4) of section 101.64,
463 Florida Statutes, are amended to read:

464 101.64 Delivery of vote-by-mail ~~absentee~~ ballots;

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465 envelopes; form.-

466 (1) The supervisor shall enclose with each vote-by-mail
 467 ~~absentee~~ ballot two envelopes: a secrecy envelope, into which
 468 the absent elector shall enclose his or her marked ballot; and a
 469 mailing envelope, into which the absent elector shall then place
 470 the secrecy envelope, which shall be addressed to the supervisor
 471 and also bear on the back side a certificate in substantially
 472 the following form:

473

474 Note: Please Read Instructions Carefully Before
 475 Marking Ballot and Completing Voter’s Certificate.

476

477

VOTER’S CERTIFICATE

478 I,, do solemnly swear or affirm that I am a qualified
 479 and registered voter of County, Florida, and that I have
 480 not and will not vote more than one ballot in this election. I
 481 understand that if I commit or attempt to commit any fraud in
 482 connection with voting, vote a fraudulent ballot, or vote more
 483 than once in an election, I can be convicted of a felony of the
 484 third degree and fined up to \$5,000 and/or imprisoned for up to
 485 5 years. I also understand that failure to sign this certificate
 486 will invalidate my ballot.

487

488 . . . (Date) (Voter’s Signature)

489

490 (4) The supervisor shall mark, code, indicate on, or
 491 otherwise track the precinct of the absent elector for each
 492 vote-by-mail ~~absentee~~ ballot.

493

Section 18. Section 101.65, Florida Statutes, is amended to

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494 read:

495 101.65 Instructions to absent electors.—The supervisor
496 shall enclose with each vote-by-mail ~~absentee~~ ballot separate
497 printed instructions in substantially the following form:

498

499 READ THESE INSTRUCTIONS CAREFULLY
500 BEFORE MARKING BALLOT.

501 1. VERY IMPORTANT. In order to ensure that your vote-by-
502 mail ~~absentee~~ ballot will be counted, it should be completed and
503 returned as soon as possible so that it can reach the supervisor
504 of elections of the county in which your precinct is located no
505 later than 7 p.m. on the day of the election. However, if you
506 are an overseas voter casting a ballot in a presidential
507 preference primary or general election, your vote-by-mail
508 ~~absentee~~ ballot must be postmarked or dated no later than the
509 date of the election and received by the supervisor of elections
510 of the county in which you are registered to vote no later than
511 10 days after the date of the election.

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

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

519 4. Place your marked ballot in the enclosed secrecy
520 envelope.

521 5. Insert the secrecy envelope into the enclosed mailing
522 envelope which is addressed to the supervisor.

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

525 7. VERY IMPORTANT. In order for your vote-by-mail ~~absentee~~
526 ballot to be counted, you must sign your name on the line above
527 (Voter's Signature). A vote-by-mail ~~An absentee~~ ballot will be
528 considered illegal and not be counted if the signature on the
529 voter's certificate does not match the signature on record. The
530 signature on file at the start of the canvass of the vote-by-
531 mail ~~absentee~~ ballots is the signature that will be used to
532 verify your signature on the voter's certificate. If you need to
533 update your signature for this election, send your signature
534 update on a voter registration application to your supervisor of
535 elections so that it is received no later than the start of the
536 canvassing of vote-by-mail ~~absentee~~ ballots, which occurs no
537 earlier than the 15th day before election day.

538 8. VERY IMPORTANT. If you are an overseas voter, you must
539 include the date you signed the Voter's Certificate on the line
540 above (Date) or your ballot may not be counted.

541 9. Mail, deliver, or have delivered the completed mailing
542 envelope. Be sure there is sufficient postage if mailed.

543 10. FELONY NOTICE. It is a felony under Florida law to
544 accept any gift, payment, or gratuity in exchange for your vote
545 for a candidate. It is also a felony under Florida law to vote
546 in an election using a false identity or false address, or under
547 any other circumstances making your ballot false or fraudulent.

548 Section 19. Subsections (1) and (2) of section 101.655,
549 Florida Statutes, are amended to read:

550 101.655 Supervised voting by absent electors in certain
551 facilities.-

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552 (1) The supervisor of elections of a county shall provide
553 supervised voting for absent electors residing in any assisted
554 living facility, as defined in s. 429.02, or nursing home
555 facility, as defined in s. 400.021, within that county at the
556 request of any administrator of such a facility. Such request
557 for supervised voting in the facility shall be made by
558 submitting a written request to the supervisor of elections no
559 later than 21 days prior to the election for which that request
560 is submitted. The request shall specify the name and address of
561 the facility and the name of the electors who wish to vote by
562 mail ~~absentee~~ in that election. If the request contains the
563 names of fewer than five voters, the supervisor of elections is
564 not required to provide supervised voting.

565 (2) The supervisor of elections may, in the absence of a
566 request from the administrator of a facility, provide for
567 supervised voting in the facility for those persons who have
568 requested vote-by-mail ~~absentee~~ ballots. The supervisor of
569 elections shall notify the administrator of the facility that
570 supervised voting will occur.

571 Section 20. Section 101.661, Florida Statutes, is amended
572 to read:

573 101.661 Voting vote-by-mail ~~absentee~~ ballots.—All electors
574 must personally mark or designate their choices on the vote-by-
575 mail ~~absentee~~ ballot, except:

576 (1) Electors who require assistance to vote because of
577 blindness, disability, or inability to read or write, who may
578 have some person of the elector's choice, other than the
579 elector's employer, an agent of the employer, or an officer or
580 agent of the elector's union, mark the elector's choices or

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581 assist the elector in marking his or her choices on the ballot.

582 (2) As otherwise provided in s. 101.051 or s. 101.655.

583 Section 21. Section 101.662, Florida Statutes, is amended
584 to read:

585 101.662 Accessibility of vote-by-mail ~~absentee~~ ballots.—It
586 is the intent of the Legislature that voting by vote-by-mail
587 ~~absentee~~ ballot be by methods that are fully accessible to all
588 voters, including voters having a disability. The Department of
589 State shall work with the supervisors of elections and the
590 disability community to develop and implement procedures and
591 technologies, as possible, which will include procedures for
592 providing vote-by-mail ~~absentee~~ ballots, upon request, in
593 alternative formats that will allow all voters to cast a secret,
594 independent, and verifiable vote-by-mail ~~absentee~~ ballot without
595 the assistance of another person.

596 Section 22. Section 101.663, Florida Statutes, is amended
597 to read:

598 101.663 Electors; change of residence to another state.—An
599 elector registered in this state who moves his or her permanent
600 residence to another state after the registration books in that
601 state have closed is ~~shall be~~ permitted to vote by mail ~~absentee~~
602 in the county of his or her former residence for the offices of
603 President and Vice President of the United States.

604 Section 23. Section 101.67, Florida Statutes, is amended to
605 read:

606 101.67 Safekeeping of mailed ballots; deadline for
607 receiving vote-by-mail ~~absentee~~ ballots.—

608 (1) The supervisor of elections shall safely keep in his or
609 her office any envelopes received containing marked ballots of

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610 absent electors, and he or she shall, before the canvassing of
611 the election returns, deliver the envelopes to the county
612 canvassing board along with his or her file or list kept
613 regarding said ballots.

614 (2) Except as provided in s. 101.6952(5), all marked absent
615 electors' ballots to be counted must be received by the
616 supervisor by 7 p.m. the day of the election. All ballots
617 received thereafter shall be marked with the time and date of
618 receipt and filed in the supervisor's office.

619 Section 24. Section 101.68, Florida Statutes, is amended to
620 read:

621 101.68 Canvassing of vote-by-mail ~~absentee~~ ballot.—

622 (1) The supervisor of the county where the absent elector
623 resides shall receive the voted ballot, at which time the
624 supervisor shall compare the signature of the elector on the
625 voter's certificate with the signature of the elector in the
626 registration books or the precinct register to determine whether
627 the elector is duly registered in the county and may record on
628 the elector's registration certificate that the elector has
629 voted. However, effective July 1, 2005, an elector who dies
630 after casting a vote-by-mail ~~an absentee~~ ballot but on or before
631 election day shall remain listed in the registration books until
632 the results have been certified for the election in which the
633 ballot was cast. The supervisor shall safely keep the ballot
634 unopened in his or her office until the county canvassing board
635 canvasses the vote. Except as provided in subsection (4), after
636 a vote-by-mail ~~an absentee~~ ballot is received by the supervisor,
637 the ballot is deemed to have been cast, and changes or additions
638 may not be made to the voter's certificate.

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639 (2) (a) The county canvassing board may begin the canvassing
640 of vote-by-mail ~~absentee~~ ballots at 7 a.m. on the 15th day
641 before the election, but not later than noon on the day
642 following the election. In addition, for any county using
643 electronic tabulating equipment, the processing of vote-by-mail
644 ~~absentee~~ ballots through such tabulating equipment may begin at
645 7 a.m. on the 15th day before the election. However,
646 notwithstanding any such authorization to begin canvassing or
647 otherwise processing vote-by-mail ~~absentee~~ ballots early, no
648 result shall be released until after the closing of the polls in
649 that county on election day. Any supervisor of elections, deputy
650 supervisor of elections, canvassing board member, election board
651 member, or election employee who releases the results of a
652 canvassing or processing of vote-by-mail ~~absentee~~ ballots prior
653 to the closing of the polls in that county on election day
654 commits a felony of the third degree, punishable as provided in
655 s. 775.082, s. 775.083, or s. 775.084.

656 (b) To ensure that all vote-by-mail ~~absentee~~ ballots to be
657 counted by the canvassing board are accounted for, the
658 canvassing board shall compare the number of ballots in its
659 possession with the number of requests for ballots received to
660 be counted according to the supervisor's file or list.

661 (c)1. The canvassing board shall, if the supervisor has not
662 already done so, compare the signature of the elector on the
663 voter's certificate or on the vote-by-mail ~~absentee~~ ballot
664 affidavit as provided in subsection (4) with the signature of
665 the elector in the registration books or the precinct register
666 to see that the elector is duly registered in the county and to
667 determine the legality of that vote-by-mail ~~absentee~~ ballot. The

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668 ballot of an elector who casts a vote-by-mail ~~an absentee~~ ballot
669 shall be counted even if the elector dies on or before election
670 day, as long as, prior to the death of the voter, the ballot was
671 postmarked by the United States Postal Service, date-stamped
672 with a verifiable tracking number by a common carrier, or
673 already in the possession of the supervisor of elections. A
674 vote-by-mail ~~An absentee~~ ballot is ~~shall be~~ considered illegal
675 if the voter's certificate or vote-by-mail ~~absentee~~ ballot
676 affidavit does not include the signature of the elector, as
677 shown by the registration records or the precinct register.
678 However, a vote-by-mail ~~an absentee~~ ballot is not considered
679 illegal if the signature of the elector does not cross the seal
680 of the mailing envelope. If the canvassing board determines that
681 any ballot is illegal, a member of the board shall, without
682 opening the envelope, mark across the face of the envelope:
683 "rejected as illegal." The vote-by-mail ~~absentee~~ ballot
684 affidavit, if applicable, the envelope, and the ballot contained
685 therein shall be preserved in the manner that official ballots
686 voted are preserved.

687 2. If any elector or candidate present believes that a
688 vote-by-mail ~~an absentee~~ ballot is illegal due to a defect
689 apparent on the voter's certificate or the vote-by-mail ~~absentee~~
690 ballot affidavit, he or she may, at any time before the ballot
691 is removed from the envelope, file with the canvassing board a
692 protest against the canvass of that ballot, specifying the
693 precinct, the ballot, and the reason he or she believes the
694 ballot to be illegal. A challenge based upon a defect in the
695 voter's certificate or vote-by-mail ~~absentee~~ ballot affidavit
696 may not be accepted after the ballot has been removed from the

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697 mailing envelope.

698 (d) The canvassing board shall record the ballot upon the
699 proper record, unless the ballot has been previously recorded by
700 the supervisor. The mailing envelopes shall be opened and the
701 secrecy envelopes shall be mixed so as to make it impossible to
702 determine which secrecy envelope came out of which signed
703 mailing envelope; however, in any county in which an electronic
704 or electromechanical voting system is used, the ballots may be
705 sorted by ballot styles and the mailing envelopes may be opened
706 and the secrecy envelopes mixed separately for each ballot
707 style. The votes on vote-by-mail ~~absentee~~ ballots shall be
708 included in the total vote of the county.

709 (3) The supervisor or the chair of the county canvassing
710 board shall, after the board convenes, have custody of the vote-
711 by-mail ~~absentee~~ ballots until a final proclamation is made as
712 to the total vote received by each candidate.

713 (4) (a) The supervisor of elections shall, on behalf of the
714 county canvassing board, notify each elector whose ballot was
715 rejected as illegal and provide the specific reason the ballot
716 was rejected. The supervisor shall mail a voter registration
717 application to the elector to be completed indicating the
718 elector's current signature if the elector's ballot was rejected
719 due to a difference between the elector's signature on the
720 voter's certificate or vote-by-mail ~~absentee~~ ballot affidavit
721 and the elector's signature in the registration books or
722 precinct register. This section does not prohibit the supervisor
723 from providing additional methods for updating an elector's
724 signature.

725 (b) Until 5 p.m. on the day before an election, the

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726 supervisor shall allow an elector who has returned a vote-by-
 727 mail ~~an absentee~~ ballot that does not include the elector's
 728 signature to complete and submit an affidavit in order to cure
 729 the unsigned vote-by-mail ~~absentee~~ ballot.

730 (c) The elector shall provide identification to the
 731 supervisor and must complete a vote-by-mail ~~an absentee~~ ballot
 732 affidavit in substantially the following form:

733
 734 VOTE-BY-MAIL ~~ABSENTEE~~ BALLOT AFFIDAVIT

735 I,, am a qualified voter in this election and
 736 registered voter of County, Florida. I do solemnly swear or
 737 affirm that I requested and returned the vote-by-mail ~~absentee~~
 738 ballot and that I have not and will not vote more than one
 739 ballot in this election. I understand that if I commit or
 740 attempt any fraud in connection with voting, vote a fraudulent
 741 ballot, or vote more than once in an election, I may be
 742 convicted of a felony of the third degree and fined up to \$5,000
 743 and imprisoned for up to 5 years. I understand that my failure
 744 to sign this affidavit means that my vote-by-mail ~~absentee~~
 745 ballot will be invalidated.

746
 747 ... (Voter's Signature) ...

748
 749 ... (Address) ...

750
 751 (d) Instructions must accompany the vote-by-mail ~~absentee~~
 752 ballot affidavit in substantially the following form:

753
 754 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE

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755 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
756 BALLOT NOT TO COUNT.

757

758 1. In order to ensure that your vote-by-mail ~~absentee~~
759 ballot will be counted, your affidavit should be completed and
760 returned as soon as possible so that it can reach the supervisor
761 of elections of the county in which your precinct is located no
762 later than 5 p.m. on the 2nd day before the election.

763 2. You must sign your name on the line above (Voter's
764 Signature).

765 3. You must make a copy of one of the following forms of
766 identification:

767 a. Identification that includes your name and photograph:
768 United States passport; debit or credit card; military
769 identification; student identification; retirement center
770 identification; neighborhood association identification; or
771 public assistance identification; or

772 b. Identification that shows your name and current
773 residence address: current utility bill, bank statement,
774 government check, paycheck, or government document (excluding
775 voter identification card).

776 4. Place the envelope bearing the affidavit into a mailing
777 envelope addressed to the supervisor. Insert a copy of your
778 identification in the mailing envelope. Mail, deliver, or have
779 delivered the completed affidavit along with the copy of your
780 identification to your county supervisor of elections. Be sure
781 there is sufficient postage if mailed and that the supervisor's
782 address is correct.

783 5. Alternatively, you may fax or e-mail your completed

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784 affidavit and a copy of your identification to the supervisor of
785 elections. If e-mailing, please provide these documents as
786 attachments.

787 (e) The department and each supervisor shall include the
788 affidavit and instructions on their respective websites. The
789 supervisor must include his or her office's mailing address, e-
790 mail address, and fax number on the page containing the
791 affidavit instructions; the department's instruction page must
792 include the office mailing addresses, e-mail addresses, and fax
793 numbers of all supervisors of elections or provide a conspicuous
794 link to such addresses.

795 (f) The supervisor shall attach each affidavit received to
796 the appropriate vote-by-mail ~~absentee~~ ballot mailing envelope.

797 Section 25. Section 101.69, Florida Statutes, is amended to
798 read:

799 101.69 Voting in person; return of vote-by-mail ~~absentee~~
800 ballot.—The provisions of this code shall not be construed to
801 prohibit any elector from voting in person at the elector's
802 precinct on the day of an election or at an early voting site,
803 notwithstanding that the elector has requested a vote-by-mail ~~an~~
804 ~~absentee~~ ballot for that election. An elector who has returned a
805 voted vote-by-mail ~~absentee~~ ballot to the supervisor, however,
806 is deemed to have cast his or her ballot and is not entitled to
807 vote another ballot or to have a provisional ballot counted by
808 the county canvassing board. An elector who has received a vote-
809 by-mail ~~an absentee~~ ballot and has not returned the voted ballot
810 to the supervisor, but desires to vote in person, shall return
811 the ballot, whether voted or not, to the election board in the
812 elector's precinct or to an early voting site. The returned

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813 ballot shall be marked "canceled" by the board and placed with
814 other canceled ballots. However, if the elector does not return
815 the ballot and the election official:

816 (1) Confirms that the supervisor has received the elector's
817 vote-by-mail ~~absentee~~ ballot, the elector shall not be allowed
818 to vote in person. If the elector maintains that he or she has
819 not returned the vote-by-mail ~~absentee~~ ballot or remains
820 eligible to vote, the elector shall be provided a provisional
821 ballot as provided in s. 101.048.

822 (2) Confirms that the supervisor has not received the
823 elector's vote-by-mail ~~absentee~~ ballot, the elector shall be
824 allowed to vote in person as provided in this code. The
825 elector's vote-by-mail ~~absentee~~ ballot, if subsequently
826 received, shall not be counted and shall remain in the mailing
827 envelope, and the envelope shall be marked "Rejected as
828 Illegal."

829 (3) Cannot determine whether the supervisor has received
830 the elector's vote-by-mail ~~absentee~~ ballot, the elector may vote
831 a provisional ballot as provided in s. 101.048.

832 Section 26. Subsections (1) and (2) of section 101.6921,
833 Florida Statutes, are amended to read:

834 101.6921 Delivery of special vote-by-mail ~~absentee~~ ballot
835 to certain first-time voters.—

836 (1) The provisions of this section apply to voters who are
837 subject to the provisions of s. 97.0535 and who have not
838 provided the identification or certification required by s.
839 97.0535 by the time the vote-by-mail ~~absentee~~ ballot is mailed.

840 (2) The supervisor shall enclose with each vote-by-mail
841 ~~absentee~~ ballot three envelopes: a secrecy envelope, into which

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842 the absent elector will enclose his or her marked ballot; an
843 envelope containing the Voter's Certificate, into which the
844 absent elector shall place the secrecy envelope; and a mailing
845 envelope, which shall be addressed to the supervisor and into
846 which the absent elector will place the envelope containing the
847 Voter's Certificate and a copy of the required identification.

848 Section 27. Section 101.6923, Florida Statutes, is amended
849 to read:

850 101.6923 Special vote-by-mail ~~absentee~~ ballot instructions
851 for certain first-time voters.—

852 (1) The provisions of this section apply to voters who are
853 subject to the provisions of s. 97.0535 and who have not
854 provided the identification or information required by s.
855 97.0535 by the time the vote-by-mail ~~absentee~~ ballot is mailed.

856 (2) A voter covered by this section shall be provided with
857 printed instructions with his or her vote-by-mail ~~absentee~~
858 ballot in substantially the following form:

859
860 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
861 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
862 YOUR BALLOT NOT TO COUNT.

863
864 1. In order to ensure that your vote-by-mail ~~absentee~~
865 ballot will be counted, it should be completed and returned as
866 soon as possible so that it can reach the supervisor of
867 elections of the county in which your precinct is located no
868 later than 7 p.m. on the date of the election. However, if you
869 are an overseas voter casting a ballot in a presidential
870 preference primary or general election, your vote-by-mail

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871 ~~absentee~~ ballot must be postmarked or dated no later than the
872 date of the election and received by the supervisor of elections
873 of the county in which you are registered to vote no later than
874 10 days after the date of the election.

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

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

882 4. Place your marked ballot in the enclosed secrecy
883 envelope and seal the envelope.

884 5. Insert the secrecy envelope into the enclosed envelope
885 bearing the Voter's Certificate. Seal the envelope and
886 completely fill out the Voter's Certificate on the back of the
887 envelope.

888 a. You must sign your name on the line above (Voter's
889 Signature).

890 b. If you are an overseas voter, you must include the date
891 you signed the Voter's Certificate on the line above (Date) or
892 your ballot may not be counted.

893 c. A vote-by-mail ~~An absentee~~ ballot will be considered
894 illegal and will not be counted if the signature on the Voter's
895 Certificate does not match the signature on record. The
896 signature on file at the start of the canvass of the vote-by-
897 mail ~~absentee~~ ballots is the signature that will be used to
898 verify your signature on the Voter's Certificate. If you need to
899 update your signature for this election, send your signature

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900 update on a voter registration application to your supervisor of
901 elections so that it is received no later than the start of
902 canvassing of vote-by-mail ~~absentee~~ ballots, which occurs no
903 earlier than the 15th day before election day.

904 6. Unless you meet one of the exemptions in Item 7., you
905 must make a copy of one of the following forms of
906 identification:

907 a. Identification which must include your name and
908 photograph: United States passport; debit or credit card;
909 military identification; student identification; retirement
910 center identification; neighborhood association identification;
911 or public assistance identification; or

912 b. Identification which shows your name and current
913 residence address: current utility bill, bank statement,
914 government check, paycheck, or government document (excluding
915 voter identification card).

916 7. The identification requirements of Item 6. do not apply
917 if you meet one of the following requirements:

918 a. You are 65 years of age or older.

919 b. You have a temporary or permanent physical disability.

920 c. You are a member of a uniformed service on active duty
921 who, by reason of such active duty, will be absent from the
922 county on election day.

923 d. You are a member of the Merchant Marine who, by reason
924 of service in the Merchant Marine, will be absent from the
925 county on election day.

926 e. You are the spouse or dependent of a member referred to
927 in paragraph c. or paragraph d. who, by reason of the active
928 duty or service of the member, will be absent from the county on

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929 election day.

930 f. You are currently residing outside the United States.

931 8. Place the envelope bearing the Voter's Certificate into
932 the mailing envelope addressed to the supervisor. Insert a copy
933 of your identification in the mailing envelope. DO NOT PUT YOUR
934 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
935 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
936 BALLOT WILL NOT COUNT.

937 9. Mail, deliver, or have delivered the completed mailing
938 envelope. Be sure there is sufficient postage if mailed.

939 10. FELONY NOTICE. It is a felony under Florida law to
940 accept any gift, payment, or gratuity in exchange for your vote
941 for a candidate. It is also a felony under Florida law to vote
942 in an election using a false identity or false address, or under
943 any other circumstances making your ballot false or fraudulent.

944 Section 28. Subsections (1) and (2) of section 101.6925,
945 Florida Statutes, are amended to read:

946 101.6925 Canvassing special vote-by-mail ~~absentee~~ ballots.-

947 (1) The supervisor of the county where the absent elector
948 resides shall receive the voted special vote-by-mail ~~absentee~~
949 ballot, at which time the mailing envelope shall be opened to
950 determine if the voter has enclosed the identification required
951 or has indicated on the Voter's Certificate that he or she is
952 exempt from the identification requirements.

953 (2) If the identification is enclosed or the voter has
954 indicated that he or she is exempt from the identification
955 requirements, the supervisor shall make the note on the
956 registration records of the voter and proceed to canvass the
957 vote-by-mail ~~absentee~~ ballot as provided in s. 101.68.

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958 Section 29. Section 101.694, Florida Statutes, is amended
959 to read:

960 101.694 Mailing of ballots upon receipt of federal postcard
961 application.—

962 (1) Upon receipt of a federal postcard application for a
963 vote-by-mail ~~an absentee~~ ballot executed by a person whose
964 registration is in order or whose application is sufficient to
965 register or update the registration of that person, the
966 supervisor shall send the ballot in accordance with s.
967 101.62(4).

968 (2) Upon receipt of a federal postcard application for a
969 vote-by-mail ~~an absentee~~ ballot executed by a person whose
970 registration is not in order and whose application is
971 insufficient to register or update the registration of that
972 person, the supervisor shall follow the procedure set forth in
973 s. 97.073.

974 (3) Vote-by-mail ~~Absentee~~ envelopes printed for voters
975 entitled to vote by mail ~~absentee~~ under the Uniformed and
976 Overseas Citizens Absentee Voting Act shall meet the
977 specifications as determined by the Federal Voting Assistance
978 Program of the United States Department of Defense and the
979 United States Postal Service.

980 (4) Cognizance shall be taken of the fact that vote-by-mail
981 ~~absentee~~ ballots and other materials such as instructions and
982 envelopes are to be carried via air mail, and, to the maximum
983 extent possible, such ballots and materials shall be reduced in
984 size and weight of paper. The same ballot shall be used,
985 however, as is used by other vote-by-mail ~~absentee~~ voters.

986 Section 30. Subsections (1) and (4) of section 101.6951,

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987 Florida Statutes, are amended to read:

988 101.6951 State write-in vote-by-mail ballot.-

989 (1) An overseas voter may request, not earlier than 180
990 days before a general election, a state write-in vote-by-mail
991 ~~absentee~~ ballot from the supervisor of elections in the county
992 of registration. In order to receive a state write-in ballot,
993 the voter shall state that due to military or other
994 contingencies that preclude normal mail delivery, the voter
995 cannot vote a vote-by-mail ~~an absentee~~ ballot during the normal
996 vote-by-mail ~~absentee~~ voting period. State write-in vote-by-mail
997 ~~absentee~~ ballots shall be made available to voters 90 to 180
998 days prior to a general election. The Department of State shall
999 prescribe by rule the form of the state write-in vote-by-mail
1000 ballot.

1001 (4) The state write-in vote-by-mail ballot shall contain
1002 all offices, federal, state, and local, for which the voter
1003 would otherwise be entitled to vote.

1004 Section 31. Section 101.6952, Florida Statutes, is amended
1005 to read:

1006 101.6952 Vote-by-mail ~~Absentee~~ ballots for absent uniformed
1007 services and overseas voters.-

1008 (1) If an absent uniformed services voter's or an overseas
1009 voter's request for an official vote-by-mail ~~absentee~~ ballot
1010 pursuant to s. 101.62 includes an e-mail address, the supervisor
1011 of elections shall:

1012 (a) Record the voter's e-mail address in the vote-by-mail
1013 ~~absentee~~ ballot record;

1014 (b) Confirm by e-mail that the vote-by-mail ~~absentee~~ ballot
1015 request was received and include in that e-mail the estimated

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1016 date the vote-by-mail ~~absentee~~ ballot will be sent to the voter;
1017 and

1018 (c) Notify the voter by e-mail when the voted vote-by-mail
1019 ~~absentee~~ ballot is received by the supervisor of elections.

1020 (2) (a) An absent uniformed services voter or an overseas
1021 voter who makes timely application for but does not receive an
1022 official vote-by-mail ~~absentee~~ ballot may use the federal write-
1023 in absentee ballot to vote in any federal, state, or local
1024 election.

1025 (b)1. In an election for federal office, an elector may
1026 designate a candidate by writing the name of a candidate on the
1027 ballot. Except for a primary or special primary election, the
1028 elector may alternatively designate a candidate by writing the
1029 name of a political party on the ballot. A written designation
1030 of the political party shall be counted as a vote for the
1031 candidate of that party if there is such a party candidate in
1032 the race.

1033 2. In a state or local election, an elector may vote in the
1034 section of the federal write-in absentee ballot designated for
1035 nonfederal races by writing on the ballot the title of each
1036 office and by writing on the ballot the name of the candidate
1037 for whom the elector is voting. Except for a primary, special
1038 primary, or nonpartisan election, the elector may alternatively
1039 designate a candidate by writing the name of a political party
1040 on the ballot. A written designation of the political party
1041 shall be counted as a vote for the candidate of that party if
1042 there is such a party candidate in the race. In addition, the
1043 elector may vote on any ballot measure presented in such
1044 election by identifying the ballot measure on which he or she

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1045 desires to vote and specifying his or her vote on the measure.
1046 For purposes of this section, a vote cast in a judicial merit
1047 retention election shall be treated in the same manner as a
1048 ballot measure in which the only allowable responses are "Yes"
1049 or "No."

1050 (c) In the case of a joint candidacy, such as for the
1051 offices of President/Vice President or Governor/Lieutenant
1052 Governor, a valid vote for one or both qualified candidates on
1053 the same ticket shall constitute a vote for the joint candidacy.

1054 (d) For purposes of this subsection and except when the
1055 context clearly indicates otherwise, such as when a candidate in
1056 the election is affiliated with a political party whose name
1057 includes the word "Independent," "Independence," or a similar
1058 term, a voter designation of "No Party Affiliation" or
1059 "Independent," or any minor variation, misspelling, or
1060 abbreviation thereof, shall be considered a designation for the
1061 candidate, other than a write-in candidate, who qualified to run
1062 in the race with no party affiliation. If more than one
1063 candidate qualifies to run as a candidate with no party
1064 affiliation, the designation may not count for any candidate
1065 unless there is a valid, additional designation of the
1066 candidate's name.

1067 (e) Any abbreviation, misspelling, or other minor variation
1068 in the form of the name of an office, the name of a candidate,
1069 the ballot measure, or the name of a political party must be
1070 disregarded in determining the validity of the ballot.

1071 (3) (a) An absent uniformed services voter or an overseas
1072 voter who submits a federal write-in absentee ballot and later
1073 receives an official vote-by-mail ~~absentee~~ ballot may submit the

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1074 official vote-by-mail ~~absentee~~ ballot. An elector who submits a
1075 federal write-in absentee ballot and later receives and submits
1076 an official vote-by-mail ~~absentee~~ ballot should make every
1077 reasonable effort to inform the appropriate supervisor of
1078 elections that the elector has submitted more than one ballot.

1079 (b) A federal write-in absentee ballot may not be canvassed
1080 until 7 p.m. on the day of the election. A federal write-in
1081 absentee ballot from an overseas voter in a presidential
1082 preference primary or general election may not be canvassed
1083 until the conclusion of the 10-day period specified in
1084 subsection (5). Each federal write-in absentee ballot received
1085 by 7 p.m. on the day of the election shall be canvassed pursuant
1086 to ss. 101.5614(5) and 101.68, unless the elector's official
1087 vote-by-mail ~~absentee~~ ballot is received by 7 p.m. on election
1088 day. Each federal write-in absentee ballot from an overseas
1089 voter in a presidential preference primary or general election
1090 received by 10 days after the date of the election shall be
1091 canvassed pursuant to ss. 101.5614(5) and 101.68, unless the
1092 overseas voter's official vote-by-mail ~~absentee~~ ballot is
1093 received by 10 days after the date of the election. If the
1094 elector's official vote-by-mail ~~absentee~~ ballot is received by 7
1095 p.m. on election day, or, for an overseas voter in a
1096 presidential preference primary or general election, no later
1097 than 10 days after the date of the election, the federal write-
1098 in absentee ballot is invalid and the official vote-by-mail
1099 ~~absentee~~ ballot shall be canvassed. The time shall be regulated
1100 by the customary time in standard use in the county seat of the
1101 locality.

1102 (4) For vote-by-mail ~~absentee~~ ballots received from absent

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1103 uniformed services voters or overseas voters, there is a
1104 presumption that the envelope was mailed on the date stated on
1105 the outside of the return envelope, regardless of the absence of
1106 a postmark on the mailed envelope or the existence of a postmark
1107 date that is later than the date of the election.

1108 (5) A vote-by-mail ~~An absentee~~ ballot from an overseas
1109 voter in any presidential preference primary or general election
1110 which is postmarked or dated no later than the date of the
1111 election and is received by the supervisor of elections of the
1112 county in which the overseas voter is registered no later than
1113 10 days after the date of the election shall be counted as long
1114 as the vote-by-mail ~~absentee~~ ballot is otherwise proper.

1115 Section 32. Section 101.697, Florida Statutes, is amended
1116 to read:

1117 101.697 Electronic transmission of election materials.—The
1118 Department of State shall determine whether secure electronic
1119 means can be established for receiving ballots from overseas
1120 voters. If such security can be established, the department
1121 shall adopt rules to authorize a supervisor of elections to
1122 accept from an overseas voter a request for a vote-by-mail ~~an~~
1123 ~~absentee~~ ballot or a voted vote-by-mail ~~absentee~~ ballot by
1124 secure facsimile machine transmission or other secure electronic
1125 means. The rules must provide that in order to accept a voted
1126 ballot, the verification of the voter must be established, the
1127 security of the transmission must be established, and each
1128 ballot received must be recorded.

1129 Section 33. Paragraph (a) of subsection (4) of section
1130 102.031, Florida Statutes, is amended to read:

1131 102.031 Maintenance of good order at polls; authorities;

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1132 persons allowed in polling rooms and early voting areas;
1133 unlawful solicitation of voters.—

1134 (4) (a) No person, political committee, or other group or
1135 organization may solicit voters inside the polling place or
1136 within 100 feet of the entrance to any polling place, a polling
1137 room where the polling place is also a polling room, an early
1138 voting site, or an office of the supervisor of elections where
1139 vote-by-mail ~~absentee~~ ballots are requested and printed on
1140 demand for the convenience of electors who appear in person to
1141 request them. Before the opening of the polling place or early
1142 voting site, the clerk or supervisor shall designate the no-
1143 solicitation zone and mark the boundaries.

1144 Section 34. Subsections (2), (3), and (4) of section
1145 102.141, Florida Statutes, are amended to read:

1146 102.141 County canvassing board; duties.—

1147 (2) The county canvassing board shall meet in a building
1148 accessible to the public in the county where the election
1149 occurred at a time and place to be designated by the supervisor
1150 of elections to publicly canvass the absent ~~absentee~~ electors'
1151 ballots as provided for in s. 101.68 and provisional ballots as
1152 provided by ss. 101.048, 101.049, and 101.6925. Provisional
1153 ballots cast pursuant to s. 101.049 shall be canvassed in a
1154 manner that votes for candidates and issues on those ballots can
1155 be segregated from other votes. Public notice of the time and
1156 place at which the county canvassing board shall meet to canvass
1157 the absent ~~absentee~~ electors' ballots and provisional ballots
1158 shall be given at least 48 hours prior thereto by publication on
1159 the supervisor of elections' website and once in one or more
1160 newspapers of general circulation in the county or, if there is

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1161 no newspaper of general circulation in the county, by posting
1162 such notice in at least four conspicuous places in the county.
1163 As soon as the absent ~~absentee~~ electors' ballots and the
1164 provisional ballots are canvassed, the board shall proceed to
1165 publicly canvass the vote given each candidate, nominee,
1166 constitutional amendment, or other measure submitted to the
1167 electorate of the county, as shown by the returns then on file
1168 in the office of the supervisor of elections.

1169 (3) The canvass, except the canvass of absent ~~absentee~~
1170 electors' returns and the canvass of provisional ballots, shall
1171 be made from the returns and certificates of the inspectors as
1172 signed and filed by them with the supervisor, and the county
1173 canvassing board shall not change the number of votes cast for a
1174 candidate, nominee, constitutional amendment, or other measure
1175 submitted to the electorate of the county, respectively, in any
1176 polling place, as shown by the returns. All returns shall be
1177 made to the board on or before 2 a.m. of the day following any
1178 primary, general, or other election. If the returns from any
1179 precinct are missing, if there are any omissions on the returns
1180 from any precinct, or if there is an obvious error on any such
1181 returns, the canvassing board shall order a retabulation of the
1182 returns from such precinct. Before canvassing such returns, the
1183 canvassing board shall examine the tabulation of the ballots
1184 cast in such precinct and determine whether the returns
1185 correctly reflect the votes cast. If there is a discrepancy
1186 between the returns and the tabulation of the ballots cast, the
1187 tabulation of the ballots cast shall be presumed correct and
1188 such votes shall be canvassed accordingly.

1189 (4) (a) The supervisor of elections shall upload into the

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1190 county's election management system by 7 p.m. on the day before
1191 the election the results of all early voting and vote-by-mail
1192 ~~absentee~~ ballots that have been canvassed and tabulated by the
1193 end of the early voting period. Pursuant to ss. 101.5614(9),
1194 101.657, and 101.68(2), the tabulation of votes cast or the
1195 results of such uploads may not be made public before the close
1196 of the polls on election day.

1197 (b) The canvassing board shall report all early voting and
1198 all tabulated vote-by-mail ~~absentee~~ results to the Department of
1199 State within 30 minutes after the polls close. Thereafter, the
1200 canvassing board shall report, with the exception of provisional
1201 ballot results, updated precinct election results to the
1202 department at least every 45 minutes until all results are
1203 completely reported. The supervisor of elections shall notify
1204 the department immediately of any circumstances that do not
1205 permit periodic updates as required. Results shall be submitted
1206 in a format prescribed by the department.

1207 Section 35. Subsection (8) of section 102.168, Florida
1208 Statutes, is amended to read:

1209 102.168 Contest of election.—

1210 (8) In any contest that requires a review of the canvassing
1211 board's decision on the legality of a vote-by-mail ~~an absentee~~
1212 ballot pursuant to s. 101.68 based upon a comparison of the
1213 signature on the voter's certificate and the signature of the
1214 elector in the registration records, the circuit court may not
1215 review or consider any evidence other than the signature on the
1216 voter's certificate and the signature of the elector in the
1217 registration records. The court's review of such issue shall be
1218 to determine only if the canvassing board abused its discretion

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1219 in making its decision.

1220 Section 36. Subsection (1) of section 104.047, Florida
1221 Statutes, is amended to read:

1222 104.047 Vote-by-mail ~~Absentee~~ ballots and voting;
1223 violations.-

1224 (1) Except as provided in s. 101.62 or s. 101.655, any
1225 person who requests a vote-by-mail ~~an absentee~~ ballot on behalf
1226 of an elector is guilty of a felony of the third degree,
1227 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1228 Section 37. Paragraph (b) of subsection (2) of section
1229 104.0515, Florida Statutes, is amended to read:

1230 104.0515 Voting rights; deprivation of, or interference
1231 with, prohibited; penalty.-

1232 (2) No person acting under color of law shall:

1233 (b) Deny the right of any individual to vote in any
1234 election because of an error or omission on any record or paper
1235 relating to any application, registration, or other act
1236 requisite to voting, if such error or omission is not material
1237 in determining whether such individual is qualified under law to
1238 vote in such election. This paragraph shall apply to vote-by-
1239 mail ~~absentee~~ ballots only if there is a pattern or history of
1240 discrimination on the basis of race, color, or previous
1241 condition of servitude in regard to vote-by-mail ~~absentee~~
1242 ballots.

1243 Section 38. Section 104.0616, Florida Statutes, is amended
1244 to read:

1245 104.0616 Vote-by-mail ~~Absentee~~ ballots and voting;
1246 violations.-

1247 (1) For purposes of this section, the term "immediate

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1248 family" means a person's spouse or the parent, child,
1249 grandparent, or sibling of the person or the person's spouse.

1250 (2) Any person who provides or offers to provide, and any
1251 person who accepts, a pecuniary or other benefit in exchange for
1252 distributing, ordering, requesting, collecting, delivering, or
1253 otherwise physically possessing more than two vote-by-mail
1254 ~~absentee~~ ballots per election in addition to his or her own
1255 ballot or a ballot belonging to an immediate family member,
1256 except as provided in ss. 101.6105-101.694, commits a
1257 misdemeanor of the first degree, punishable as provided in s.
1258 775.082, s. 775.083, or s. 775.084.

1259 Section 39. Section 104.17, Florida Statutes, is amended to
1260 read:

1261 104.17 Voting in person after casting vote-by-mail ~~absentee~~
1262 ballot.—Any person who willfully votes or attempts to vote both
1263 in person and by vote-by-mail ~~absentee~~ ballot at any election is
1264 guilty of a felony of the third degree, punishable as provided
1265 in s. 775.082, s. 775.083, or s. 775.084.

1266 Section 40. Paragraph (b) of subsection (2) of section
1267 117.05, Florida Statutes, is amended to read:

1268 117.05 Use of notary commission; unlawful use; notary fee;
1269 seal; duties; employer liability; name change; advertising;
1270 photocopies; penalties.—

1271 (2)

1272 (b) A notary public may not charge a fee for witnessing a
1273 vote-by-mail ~~an absentee~~ ballot in an election, and must witness
1274 such a ballot upon the request of an elector, provided the
1275 notarial act is in accordance with the provisions of this
1276 chapter.

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1277 Section 41. Subsection (7) of section 394.459, Florida
1278 Statutes, is amended to read:

1279 394.459 Rights of patients.—

1280 (7) VOTING IN PUBLIC ELECTIONS.—A patient who is eligible
1281 to vote according to the laws of the state has the right to vote
1282 in the primary and general elections. The department shall
1283 establish rules to enable patients to obtain voter registration
1284 forms, applications for vote-by-mail ~~absentee~~ ballots, and vote-
1285 by-mail ~~absentee~~ ballots.

1286 Section 42. Section 741.406, Florida Statutes, is amended
1287 to read:

1288 741.406 Voting by program participant; use of designated
1289 address by supervisor of elections.—A program participant who is
1290 otherwise qualified to vote may request a vote-by-mail ~~an~~
1291 ~~absentee~~ ballot pursuant to s. 101.62. The program participant
1292 shall automatically receive vote-by-mail ~~absentee~~ ballots for
1293 all elections in the jurisdictions in which that individual
1294 resides in the same manner as vote-by-mail ~~absentee~~ voters. The
1295 supervisor of elections shall transmit the vote-by-mail ~~absentee~~
1296 ballot to the program participant at the address designated by
1297 the participant in his or her application as a vote-by-mail ~~an~~
1298 ~~absentee~~ voter. The name, address, and telephone number of a
1299 program participant may not be included in any list of
1300 registered voters available to the public.

1301 Section 43. Subsection (7) of section 916.107, Florida
1302 Statutes, is amended to read:

1303 916.107 Rights of forensic clients.—

1304 (7) VOTING IN PUBLIC ELECTIONS.—A forensic client who is
1305 eligible to vote according to the laws of the state has the

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1306 right to vote in the primary and general elections. The
1307 department and agency shall establish rules to enable clients to
1308 obtain voter registration forms, applications for vote-by-mail
1309 ~~absentee~~ ballots, and vote-by-mail ~~absentee~~ ballots.

1310 Section 44. This act shall take effect July 1, 2016.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: SB 112

INTRODUCER: Senator Thompson

SUBJECT: Absentee Voting

DATE: October 22, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fox</u>	<u>Roberts</u>	<u>EE</u>	<u>Favorable</u>
2.	<u>Sneed</u>	<u>Miller</u>	<u>ATD</u>	<u>Recommended: Favorable</u>
3.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 112 changes the phrase “absentee” to “vote-by-mail” where it appears in the Florida Statutes, most frequently in the context of the phrase “absentee ballot(s).”

The bill has no fiscal impact on state government.

The bill takes effect July 1, 2016.

II. Present Situation:

Originally, casting a ballot without going to the polls on election day was the province of the military; widespread absentee balloting in America had its origins during the Civil War,¹ as a means for both sides to afford soldiers in the field — a not insignificant portion of the electorate at the time — the opportunity to vote.² By 1924, all but a handful of states had absentee ballot

¹ Pennsylvania appears to have been the only state with an absentee ballot law pre-dating the Civil War (1813), allowing military personnel stationed more than two miles from their homes to cast an absentee ballot. See, Aaron Marshall, *Special Voting Access for the Military Nothing New, Dates from the Civil War, Mike DeWine Says* (Oct. 1, 2012), available on PolitifactOhio’s web site at <http://www.politifact.com/ohio/statements/2012/oct/01/mike-dewine/special-voting-access-military-nothing-new-dates-c/> (last accessed 10.12.2015) (citing, generally, John C. Fortier & Norman J. Ornstein, *The Absentee Ballot and the Secret Ballot: Challenges for Election Reform*, 36 U. MICH. J.L. REFORM 483 (2003)) [hereinafter, Marshall, *Special Military Voting*].

² *Voting Integrity Project, Inc. v. Keisling*, 259 F.3d 1169, 1175 (9th Cir. 2001); Marshall, *Special Military Voting*, *supra* at note 1. Nineteen of the 25 Union states (including the Border States) and 7 of 11 Confederate states had absentee voting laws for soldiers during the Civil War. *Id.* Though many states repealed their laws after the War — with only 6 states retaining them on the books as of 1915 — the advent of World War I ushered in a decade of new state absentee ballot laws. Daniel P. Tokaji & Ruth Colter, *Absentee Voting by People with Disabilities: Promoting Access and Integrity*, 38 MCGEORGE L.REV. 1015, 1020 (2007), reprinted at http://www.americanbar.org/content/dam/aba/migrated/aging/voting/pdfs/tokaji_authcheckdam.pdf (last accessed 10.12.2015) [hereinafter, Tokaji, *Absentee Voting*].

laws for members of the military, with many of them extending the franchise to civilians who could not attend the polls on account of illness or other physical disability.³

In 1986, the federal government codified the right of absent military and civilian overseas voters to cast an absentee ballot in federal races in the Uniformed Overseas Citizens Absentee Voting Act (“UOCAVA”).⁴ Through the 1990’s and especially the 2000’s, numerous states (including Florida)⁵ amended their absentee laws to allow for even greater absentee ballot participation by voters — removing the reasons that voters traditionally had to give in order to vote an absentee ballot.⁶ Today, a slim majority of states have some form of what the National Conference of State Legislatures refers to as “no-excuse absentee voting.”⁷

There seems, however, to be a lack of uniformity regarding what to call the current concepts of absentee voting. An Internet search of various statutes, federal and state executive agency sites for election administrators, and other professional organizations involved with voting indicates that the terms “absentee voting/balloting,” “no-excuse absentee balloting/voting,” “vote-by-mail,” and “all-mail balloting,” including derivations thereof, are *all* quite common.

Often, terms are used interchangeably; several Florida supervisor of elections websites, for example, refer to the process as both “vote-by-mail” and “absentee.”⁸ In other cases, multiple terms are used to refer to the same thing depending on who’s doing the characterizing. For example, the California statutes and its Secretary of State’s web site refer to the absentee process for UOCAVA (absent military/overseas) voters as “vote by mail;”⁹ the U.S. Department of Defense’s Federal Voting Assistance Program (“FVAP”) materials, designed to aid Californians in the military and citizens overseas cast valid ballots, refer to the California process as

³ *Id.*

⁴ 42 U.S.C. ss. 1973ff-1973ff-7.

⁵ Florida officially did away with reasons for voting absentee back in 2001, though voters had for years been able to obtain an absentee ballot by simply attesting to the fact that they *might* not be in their precincts on Election Day. Ch. 2001-40, s. 53, LAWS OF FLA.

⁶ Tokaji, *Absentee Voting* supra note 3 at 1021; see, Enrijeta Shino, *Absentee Voting: A Cross State Analysis* at pp. 3-5 (University of Florida, Mar. 8, 2014) (2000 general election signaled the turning point in easing legal requirements for absentee voting), available at The Florida Political Science Association web site at http://www.fpsanet.org/uploads/8/8/7/3/8873825/2014_nominee_shino.pdf (last accessed 10.12.2015).

⁷ National Conference of State Legislatures, *Absentee and Early Voting* (February 11, 2015), available at <http://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx> (last accessed 10.12.2015).

⁸ See e.g., Escambia Co. Supervisor of Elections web site at <http://www.escambiavotes.com/vote-by-mail> and <http://www.escambiavotes.com/absentee-voting-and-registration> (generally, using the term “absentee ballot” to refer to military and overseas ballots and the phrase “vote-by-mail” to refer to other ballots)(last accessed 10.12.2015); Pasco Co. Supervisor of Elections web site at <http://www.pascovotes.com/Vote-by-Mail/About-Voting-by-Mail#mil> (referring to most ballots, including military, as vote-by mail ballots); Leon Co. Supervisor of Elections web site at <http://www.leonvotes.org/Request-an-Absentee-Ballot> and Sarasota Co. Supervisor of Elections web site at <http://www.sarasotavotes.com/content.aspx?id=19> (using both terms, “vote-by-mail” and “absentee,” interchangeably and simultaneously) (last accessed 10.12.2015).

⁹ See Cal Elec. Code s. 3000-3024 and 3101-3123 (detailing “vote by mail” requirements and procedures for all California voters, including UOCAVA military and overseas voters); see also, Cal. SOS web site at <http://www.sos.ca.gov/elections/voter-registration/military-overseas-voters/> and <http://www.sos.ca.gov/elections/voter-registration/vote-mail/> (using the phrase “vote-by-mail” to refer to all military and civilian voting) (last accessed 10.12.2015).

“absentee” voting.¹⁰ In still other cases, the absentee balloting process *itself* is bifurcated and referred to using multiple terms. For example, Oregon conducts so-called “*all-mail-ballot*” elections (no polling places).¹¹ While the statutes don’t specifically use *either* term, the Oregon Secretary of State’s web site refers to ballots mailed to a voter’s *in-state* home address as “*vote-by-mail ballots*,” while those mailed outside the state (or ballots sent to in-state voters who will be away from their home address during an election) are called “*absentee ballots*.”¹²

It’s also worth noting that Florida law currently includes the “*Mail Ballot Election Act*,” authorizing **all-mail-ballot** voting in certain local referenda elections.¹³ This could serve as a possible source of confusion with the term “vote-by-mail.”

III. Effect of Proposed Changes:

The bill changes the term “absentee” and “absentee ballot” to “vote-by-mail” and “vote-by-mail ballot,” respectively, where those terms appear in the Florida Statutes.

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁰ See, FVAP California web site at <http://www.fvap.gov/california> and <http://www.fvap.gov/vao/vag/chapter2/california> (describing California’s voting process for UOCAVA voters as “absentee voting guidelines,” providing links to the State’s vote by mail information, and providing information on how to receive an “absentee ballot”) (last accessed 10.12. 2015).

¹¹ See, Or. Rev. Stat. s. 254.465(1) (2013) (provides simply that county clerks must conduct all elections by mail).

¹² See Oregon Secretary of State web site at <http://sos.oregon.gov/voting/Pages/voteinor.aspx>; see also, Oregon’s Absentee Ballot Request form for in-state voters away from home, available at <http://sos.oregon.gov/elections/Documents/SEL111.pdf> (last accessed 10.12.2015); E-mail from Brian Corley, Legislative Liaison for the Florida State Assn. of Supervisors of Elections and Supervisor of Pasco County to Jonathan Fox, Senate Ethics and Elections Chief Attorney (March 25, 2015) (information from Oregon indicates that the term “absentee ballot” is placed on the mailing envelopes for out-of-state voters requesting ballots).

¹³ Sections 101.6101-101.6107, F.S.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the Department of State, Division of Elections, the terminology changes would need to be reflected on various agency documentation and may require coding changes to the Florida Voter Registration System. The department will absorb these costs, which are expected to be minimal, in its operating budget.

At the local level county supervisors of elections will, at a minimum, have to print and distribute new absentee ballot instructions and absentee ballot affidavits that include the term “vote-by-mail.” They may choose to re-design and revise other related absentee ballot and election materials to conform. To the extent that any of these items have already been printed, the supervisors will incur additional printing costs. As each county’s situation will differ, the cost is indeterminate but expected to be minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

When this bill was heard for the 2015 Regular Session¹⁴, some expressed concerns that changing the statutes from “absentee balloting” to “vote-by-mail” could potentially: violate a U.S. Postal Service (“USPS”) regulation requiring the use of specific words on overseas absentee ballot mailing envelopes; and/or, create postal confusion, thereby delaying ballot processing, transmission and delivery in both directions. The USPS regulations, however, specifically authorize the use of terms other than the prescribed “Official Absentee Balloting Material” — such as “Vote-By-Mail” — *if required by State law*.¹⁵

¹⁴ See SB 894 (2015 Reg. Session).

¹⁵ U.S.P.S. Regulations, DMM 703.8.2.5, available at <http://pe.usps.com/text/dmm300/703.htm> (last accessed 10.12.2015). The postal regulation at issue provides as follows:

8.2.5 Envelope

The envelope used to send balloting material and the envelope supplied for return of the ballots must have printed across the face the words “Official Absentee Balloting Material—First-Class Mail” (*or similar language required by state law*) in a rectangular box. Immediately below, the words “No Postage Necessary in the U.S. Mail—DMM 703.8.0” must be printed. ...

(emphasis added).

Furthermore, nothing in the bill would prohibit the supervisors of elections from continuing to use the term “Official Absentee Balloting Material” on their overseas ballots to minimize confusion within their local post offices; indeed, the law would still require that overseas ballot envelopes meet USPS and other federal requirements.¹⁶ On balance, the postal concerns don’t appear to be a significant legal or practical impediment to moving forward with the bill.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 97.012, 97.021, 97.026, 98.065, 98.077, 98.0981, 98.255, 100.025, 101.051, 101.151, 101.5612, 101.5614, 101.572, 101.591, 101.6105, 101.62, 101.64, 101.65, 101.655, 101.661, 101.662, 101.663, 101.67, 101.68, 101.69, 101.6921, 101.6923, 101.6925, 101.694, 101.6951, 101.6952, 101.697, 102.031, 102.141, 102.168, 104.047, 104.0515, 104.0616, 104.17, 117.05, 394.459, 741.406, 916.107 .

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

¹⁶ The current Florida law, which is not materially changed by this bill, provides that all “absentee envelopes” for UOCAVA voters comply with the specifications mandated by the U.S. Department of Defense’s Federal Voting Assistance Program and the USPS. Section 101.694(3), F.S. (NOTE: Although housed in a section of the statutes entitled “Mailing of ballots upon receipt of federal postcard application,” a 2005 change to the law clarified that the requirements were applicable to ALL envelopes printed for UOCAVA voters — not just those ballots requested with the federal postcard application. See Ch. 2005-277, s. 50, at 2664, LAWS OF FLA. (codified at s. 101.694(3), F.S.) (striking language limiting the section to federal postcard applicants); see also, Florida House of Representatives, Bill Analysis - CS/HB 1567 (2005), at p. 13 (Apr. 20, 2005) (discussing changes to s. 101.694 as impacting envelope requirements for “absent electors overseas,” without reference to federal postcard applicants), available at <http://archive.flsenate.gov/data/session/2005/House/bills/analysis/pdf/h1567e.SAC.pdf> [last accessed 10.12.2015].)

By the Committee on Transportation; and Senator Hutson

596-00773-16

2016158c1

1 A bill to be entitled
2 An act relating to identification cards and driver
3 licenses; amending ss. 322.051 and 322.14, F.S.;
4 providing for a person's status as a lifetime
5 freshwater fishing, saltwater fishing, hunting, or
6 sportsman licensee, or boater safety identification
7 cardholder, to be indicated on his or her
8 identification card or driver license upon payment of
9 an additional fee and presentation of the person's
10 lifetime freshwater fishing, saltwater fishing,
11 hunting, or sportsman's license, or boater safety
12 identification card; providing a waiver of the
13 replacement fee in certain circumstances; amending s.
14 327.395, F.S.; prohibiting a person born on or after a
15 certain date from operating a certain vessel unless
16 such person has in his or her possession aboard the
17 vessel photographic identification and a boater safety
18 identification card or a state-issued identification
19 card or driver license which meets certain
20 requirements; amending s. 379.354, F.S.; requiring
21 each state-issued identification card or driver
22 license indicating possession of certain recreational
23 licenses to be in the personal possession of the
24 person to whom such license is issued while the person
25 is taking, attempting to take, or possessing game,
26 freshwater or saltwater fish, or fur-bearing animals;
27 providing applicability; providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (b) of subsection (8) of section 322.051, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

322.051 Identification cards.—

(8)

(b) The word "Veteran" shall be exhibited on the identification card of a veteran upon the payment of an additional \$1 fee for the identification card and the presentation of a copy of the person's DD Form 214, issued by the United States Department of Defense, or another acceptable form specified by the Department of Veterans' Affairs. Until a veteran's identification card is next renewed, the veteran may have the word "Veteran" added to his or her identification card upon surrender of his or her current identification card, payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of a copy of his or her DD Form 214 or another acceptable form specified by the Department of Veterans' Affairs. If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card shall ~~may~~ be issued with the word "Veteran" without payment of the fee required in s. 322.21(1)(f)3.

(c) The department shall include symbols representing the following on an identification card upon the payment of an additional \$1 fee by an applicant who meets the requirements of subsection (1) and presents his or her:

1. Lifetime freshwater fishing license;
2. Lifetime saltwater fishing license;

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- 59 3. Lifetime hunting license;
60 4. Lifetime sportsman's license; or
61 5. Lifetime boater safety identification card.

62
63 A person may replace his or her identification card before its
64 expiration date with a card that includes his or her status as a
65 lifetime licensee or boater safety cardholder upon surrender of
66 his or her current identification card, payment of a \$2 fee to
67 be deposited into the Highway Safety Operating Trust Fund, and
68 presentation of the person's lifetime license or card. If the
69 sole purpose of the replacement identification card is the
70 inclusion of the applicant's status as a lifetime licensee or
71 cardholder, the replacement identification card must be issued
72 without payment of the fee required in s. 322.21(1)(f)3.

73 Section 2. Paragraph (c) of subsection (1) of section
74 322.14, Florida Statutes, is amended, and paragraph (d) is added
75 to that subsection, to read:

76 322.14 Licenses issued to drivers.—

77 (1)

78 (c) The word "Veteran" shall be exhibited on the driver
79 license of a veteran upon the payment of an additional \$1 fee
80 for the license and the presentation of a copy of the person's
81 DD Form 214, issued by the United States Department of Defense,
82 or another acceptable form specified by the Department of
83 Veterans' Affairs. Until a veteran's license is next renewed,
84 the veteran may have the word "Veteran" added to his or her
85 license upon surrender of his or her current license, payment of
86 a \$2 fee to be deposited into the Highway Safety Operating Trust
87 Fund, and presentation of a copy of his or her DD Form 214 or

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88 another acceptable form specified by the Department of Veterans'
89 Affairs. If the applicant is not conducting any other
90 transaction affecting the driver license, a replacement license
91 shall ~~may~~ be issued with the word "Veteran" without payment of
92 the fee required in s. 322.21(1)(e).

93 (d) The department shall include symbols representing the
94 following on a driver license upon the payment of an additional
95 \$1 fee by an applicant who meets the requirements of s. 322.08
96 and presents his or her:

- 97 1. Lifetime freshwater fishing license;
- 98 2. Lifetime saltwater fishing license;
- 99 3. Lifetime hunting license;
- 100 4. Lifetime sportsman's license; or
- 101 5. Lifetime boater safety identification card.

102
103 A person may replace his or her driver license before its
104 expiration date with a license that includes his or her status
105 as a lifetime licensee or boater safety cardholder upon
106 surrender of his or her current driver license, payment of a \$2
107 fee to be deposited into the Highway Safety Operating Trust
108 Fund, and presentation of the person's lifetime license or
109 identification card. If the sole purpose of the replacement
110 driver license is the inclusion of the applicant's status as a
111 lifetime licensee or cardholder, the replacement driver license
112 must be issued without payment of the fee required in s.
113 322.21(1)(e).

114 Section 3. Subsection (1) of section 327.395, Florida
115 Statutes, is amended to read:

116 327.395 Boating safety identification cards.—

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2016158c1

117 (1) A person born on or after January 1, 1988, may not
118 operate a vessel powered by a motor of 10 horsepower or greater
119 unless such person has in his or her possession aboard the
120 vessel photographic identification and a boater safety
121 identification card issued by the commission, or a state-issued
122 identification card or driver license indicating possession of
123 the boater safety identification card, which shows that he or
124 she has:

125 (a) Completed a commission-approved boater education course
126 that meets the minimum 8-hour instruction requirement
127 established by the National Association of State Boating Law
128 Administrators;

129 (b) Passed a course equivalency examination approved by the
130 commission; or

131 (c) Passed a temporary certificate examination developed or
132 approved by the commission.

133 Section 4. Subsection (3) of section 379.354, Florida
134 Statutes, is amended to read:

135 379.354 Recreational licenses, permits, and authorization
136 numbers; fees established.—

137 (3) PERSONAL POSSESSION REQUIRED.—Each recreational
138 license, state-issued identification card or driver license
139 indicating possession of a recreational license, permit, or
140 authorization number must be in the personal possession of the
141 person to whom it is issued while the ~~such~~ person is taking,
142 attempting to take, or possessing game, freshwater or saltwater
143 fish, or fur-bearing animals. Any person taking, attempting to
144 take, or possessing game, freshwater or saltwater fish, or fur-
145 bearing animals who fails to produce a recreational license,

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146 state-issued identification card or driver license indicating
147 possession of a recreational license, permit, or authorization
148 number at the request of a commission law enforcement officer
149 commits a violation of the law.

150 Section 5. The amendments made by this act to s. 322.051
151 and s. 322.14, Florida Statutes, shall apply upon implementation
152 of new designs for the driver license and identification card by
153 the Department of Highway Safety and Motor Vehicles.

154 Section 6. This act shall take effect July 1, 2016.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: CS/SB 158

INTRODUCER: Transportation Committee and Senator Hutson

SUBJECT: Identification Cards and Driver Licenses

DATE: October 28, 2015 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jones</u>	<u>Eichin</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Gusky</u>	<u>Miller</u>	<u>ATD</u>	<u>Recommended: Favorable</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 158 provides that an individual who holds a lifetime fishing, hunting, or sportsman's license, or a lifetime boater safety identification card may have a symbol displaying that lifetime status added to the individual's driver license or identification card when the driver license or identification card is being issued, renewed, or replaced for a purpose other than solely including the symbol on the card (i.e., an address or name change). Adding the recreational symbol requires the payment of a \$1 fee, in addition to the applicable issuance, renewal or replacement fee.

An individual who surrenders and replaces his or her driver license or identification card before its expiration date with the sole purpose of including the applicant's status as a lifetime fishing, hunting, or sportsman license holder, or lifetime boater safety cardholder is only required to pay a \$2 fee for the replacement license or card.

A driver license or identification card that has a recreational symbol can be used as proof that the individual possesses the lifetime recreational license or card.

To the extent that individuals apply for and obtain the designations authorized in the bill at the time their driver licenses or identification cards are issued, renewed, or replaced for a purpose other than solely including the recreational license or card symbol, the additional \$1 fee will have a positive fiscal impact on the Highway Safety Operating Trust Fund.

The bill provides an effective date of July 1, 2016, however the bill specifies that changes made to driver licenses and identification cards will apply upon implementation of new designs for the driver license and identification cards by the DHSMV which is anticipated to be in 2017.

II. Present Situation:

Designations on Driver Licenses or Identification Cards

Currently, the only designation an individual may have placed on his or her driver license or identification card, for an additional fee, is a “V” for a veteran.¹ The designation is available at the request of a military veteran who presents proof of military service and pays an additional \$1 fee when the card or license is being issued or renewed, or pays a \$2 fee for a replacement card or license. The \$2 fee covers the \$1.97 cost of the card stock.² If the applicant is not conducting any other transaction affecting the license or card, the applicant does not have to pay the \$25 replacement fee. A veteran may be issued a driver license or identification card that displays “Veteran” instead of “V” upon implementation of the new design for the driver license and identification card by the Department of Highway Safety and Motor Vehicles (DHSMV).³

Other states, including New York and West Virginia, allow symbols on driver licenses and identification cards to represent that an individual holds a certain hunting or fishing license.⁴

Replacement Driver Licenses and Identification Cards

A replacement Class E driver license is \$25. If the replacement license is issued by the tax collector, \$7 is retained by the tax collector, otherwise the \$7 is deposited into the Highway Safety Operating Trust Fund. The remaining \$18 is deposited into the General Revenue Fund.⁵

A replacement identification card is \$25. If the replacement card is issued by the tax collector, \$9 is retained by the tax collector, otherwise the \$9 is deposited into the Highway Safety Operating Trust Fund. The remaining \$16 is deposited into the General Revenue Fund.⁶

Section 322.19, F.S., requires a person to obtain a replacement license reflecting changes to their legal residence or address within 10 days of the change. Generally, an individual who replaces his or her driver license or identification card to display changes such as a name change, address change, or organ donor designation must pay a \$25 fee.

Recreational Lifetime Hunting and Fishing Licenses

The Florida Fish and Wildlife Conservation Commission (FWC) issues recreational fishing, and hunting licenses for the State of Florida, as well as boater safety identification cards.

¹ See ss. 322.051(8)(b) and 322.14(1)(c), F.S.

² Department of Highway Safety and Motor Vehicles, *HB 83/SB 158 Agency Bill Analysis* (Sept. 24, 2015) (on file with the Senate Committee on Transportation).

³ Section 4, ch. 2015-85, Laws of Fla.

⁴ See West Virginia Division of Natural Resources, <http://www.wvdnr.gov/2015news/15news017.shtm> and New York State Department of Environmental Conservation, <http://www.dec.ny.gov/permits/6099.html> (last visited Oct. 1, 2015).

⁵ Section 322.21(1)(e), F.S.

⁶ Section 322.21(1)(f)3., F.S.

Every person, unless exempt as provided in s. 379.353, F.S., taking game, fish, or fur-bearing animals within this state is required to have a hunting or fishing license, permit, or authorization number authorizing that activity.⁷ The license, permit, or authorization number must be in the personal possession of the person to whom it was issued while that person is taking, attempting to take, or possessing game, fish, or fur-bearing animals.⁸

Lifetime hunting and fishing licenses are only available to Florida residents, and are valid from the date they are issued until the death of the individual to whom the license is issued, unless revoked.⁹ As of September 2015, there are 54,502 active lifetime recreational licenses. More than 2,600 people hold two or more lifetime licenses.¹⁰

Resident Lifetime Freshwater or Saltwater Fishing Licenses¹¹

Lifetime fishing licenses are available to residents for a fee of:

- \$125 for persons age 4 or younger;
- \$225 for persons age 5 to 12; and
- \$300 for persons age 13 or older.

As of September 2015, the FWC has 2,898 active lifetime freshwater fishing licenses.¹² A lifetime freshwater fishing license also allows all activities authorized by a management area permit¹³, excluding hunting.

As of September 2015, the FWC has 18,506 active lifetime saltwater fishing licenses.¹⁴ A lifetime saltwater fishing license also allows the license holder to take or possess snook and spiny lobster.

Resident Lifetime Hunting Licenses¹⁵

As of September 2015, the FWC has 1,595 active lifetime hunting licenses.¹⁶ Lifetime hunting licenses are available to residents for a fee of:

- \$200 for persons age 4 or younger;
- \$350 for persons age 5 to 12; and
- \$500 for persons age 13 or older.

⁷ Section 379.354(1), F.S.

⁸ Section 379.354(2), F.S.

⁹ As provided for in ss. 379.401 or 379.404, F.S.

¹⁰ Florida Fish and Wildlife Conservation Commission, *Lifetime Customer Counts with Suspensions and Revocations* (October 21, 2015) (on file with the Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development).

¹¹ Section 379.354(10), F.S.

¹² FWC Lifetime Customer Counts, *supra* note 10.

¹³ Section 379.354(8)(g), F.S., provides that a management area permit holder may hunt on, fish on, or otherwise use for outdoor recreational purposes land owned, leased, or managed by the commission, or by the state for the use and benefit of the commission.

¹⁴ FWC Lifetime Customer Counts, *supra* note 10.

¹⁵ Section 379.354(11), F.S.

¹⁶ FWC Lifetime Customer Counts, *supra* note 10.

In addition to authorizing the take, attempted take or possession of game animals¹⁷, a lifetime hunting license also allows all activities authorized by a muzzle-loading gun season permit, a crossbow season permit, a turkey permit, an archery season permit, a Florida waterfowl permit, a deer permit, and a management area permit, excluding fishing.

Resident Lifetime Sportsman's Licenses¹⁸

As of September 2015, the FWC has 31,503 active lifetime Sportsman's licenses.¹⁹ A Lifetime Sportsman's license provides individuals with the same authorizations as having a lifetime freshwater fishing license, a lifetime saltwater fishing license, *and* a lifetime hunting license. A lifetime sportsman's license is available to residents for a fee of:

- \$400 for persons age 4 or younger;
- \$700 for persons age 5 to 12; and
- \$1,000 for persons age 13 or older.

Boater Safety Identification Cards²⁰

A person born on or after January 1, 1988, who operates a boat powered by a motor of more than 10 horsepower, must have in his or her possession a boater safety identification card, acquired from the FWC for completing an approved boater safety education course. A person is exempt from this requirement if he or she:

- Is licensed by the Coast Guard to serve as a master of a vessel;
- Is operating a vessel only on a private lake or pond;
- Is accompanied on the boat by a person who is at least 18 years of age, who is exempt or who has complied with the requirement, and is attendant to the operation of the vessel and responsible for the safe operation of the vessel and for any violation that occurs while it is being operated;
- Is a nonresident who has in his or her possession proof of completion of a boater education course or equivalency examination in another state which meets or exceeds Florida's requirements;
- Is operating a vessel within 90 days of purchase with a valid bill of sale; or
- Is operating a vessel within 90 days of completing the boater safety education course and has valid photo identification as well as the boater safety completion certificate in his or her possession.

Any person, regardless of age, may complete the boater safety education course, and all who do so will be issued a boater safety identification card. A boater safety identification card issued to a person who has completed a boater education course or a course equivalency examination is valid for life. More than 441,000 people hold Florida boater safety identification cards.²¹

¹⁷ As defined in s. 379.101(20), F.S., "Game" means deer, bear, squirrel, rabbits, and, where designated by commission rules, wild hogs, ducks, geese, rails, coots, gallinules, snipe, woodcock, wild turkeys, grouse, pheasants, quail, and doves.

¹⁸ Section 379.354(12), F.S.

¹⁹ DHSMV Agency Analysis, *supra* note 2.

²⁰ Section 327.395, F.S.

²¹ FWC, *Senate Bill 158 Agency Bill Analysis* (September 4, 2015)(on file with the Senate Committee on Transportation).

III. Effect of Proposed Changes:

Sections 1 and 2 of the bill allow an individual who holds and presents a lifetime freshwater fishing license, a lifetime saltwater fishing license, a lifetime hunting license, a lifetime sportsman's license, or a lifetime boater safety identification card to have a symbol displaying that lifetime status voluntarily added to his or her driver license or identification card when the driver license or identification card is being issued, renewed, or replaced for a purpose other than solely including the recreational symbol on the card (i.e., an address or name change). Adding the symbol requires the payment of a \$1 fee, in addition to the applicable issuance, renewal or replacement fee.

An individual who surrenders and replaces his or her driver license or identification card for the sole purpose of including his or her status as a lifetime fishing, hunting, or sportsman's licensee holder or a lifetime boater safety cardholder is only required to pay a \$2 fee that will be deposited into the Highway Safety Operating Trust Fund. The replacement license or card is not subject to the \$25 replacement fee required by s. 322.21(1), F.S.

The bill also makes a technical change to ensure the issuance of a replacement driver license or identification card *shall*, rather than *may*, be issued with the word "Veteran" without paying the \$25 replacement fee. This aligns with the DHSMV's current practice.²²

Sections 3 and 4 allow the state-issued identification card or driver license displaying the lifetime designation to be used as proof of possession of that lifetime license or card.

Section 5 provides that the changes made to the driver license and identification card by this bill will apply upon implementation of new designs for the driver license and identification card by the DHSMV, which is currently anticipated to be in 2017²³.

Section 6 provides that the bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²² DHSMV Agency Analysis, *supra* note 2.

²³ DHSMV Agency Analysis, *supra* note 2

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

Not applicable.

B. Private Sector Impact:

Under CS/SB 158, individuals requesting lifetime hunting, fishing, or sportsman's license, or lifetime boater safety identification card designations must pay an additional \$1 fee when a driver license or identification card is being issued, renewed, or replaced for a purpose other than solely including the recreational symbol on the card. The \$1 fee is in addition to the applicable issuance, renewal or replacement fee. An individual who surrenders and replaces his or her driver license or identification card with the sole purpose of adding such designations must pay a \$2 fee, which covers the cost of the card stock.

C. Government Sector Impact:

According to the FWC, there are over 495,000 active lifetime hunting, fishing, or sportsman's licenses and boater safety identification cards.²⁴ The additional \$1 fee will have a positive fiscal impact on the DHSMV's Highway Safety Operating Trust Fund, to the extent that individuals apply for and obtain the designations authorized in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

While the bill does not specify how a suspension or revocation of one or more of the recreational lifetime licenses would be accommodated, according to FWC staff, the current practice of FWC officers is to either perform a web based query or call in to verify the status of a license issued by the FWC using the license holder's driver license or identification card.²⁵

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 322.051, 322.14, 327.395, and 379.354.

²⁴ FWC Lifetime Customer Counts, *supra* note 10.

²⁵ E-mail, FWC Legislative Affairs Office (October 27, 2015) (on file with Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on October 8, 2015:

The CS requires the DHSMV to include symbols on the identification card or driver license representing the lifetime recreational license or card instead of specified language or abbreviations. The CS adds that the identification card or driver license displaying such symbol is a valid proof of possession of the indicated lifetime card or recreational license. Additionally, the CS adds that the changes made by the bill to the identification card and driver license will apply upon implementation of new designs for the driver license and identification card by the DHSMV.

- B. **Amendments:**

None.

By Senator Detert

28-00549-16

2016388__

1 A bill to be entitled
2 An act relating to individuals with disabilities;
3 requiring the Department of Economic Opportunity, in
4 consultation with other entities, to create the
5 Florida Unique Abilities Partner Program; defining
6 terms; authorizing a business entity to apply to the
7 department for designation; requiring the department
8 to consider nominations of business entities for
9 designation; requiring the department to adopt
10 procedures for application, nomination, and
11 designation processes; establishing criteria for a
12 business entity to be designated as a Florida Unique
13 Abilities Partner; requiring a business entity to
14 certify that it continues to meet the established
15 criteria for designation each year; requiring the
16 department to remove the designation if a business
17 entity does not submit yearly certification of
18 continued eligibility; authorizing a business entity
19 to discontinue its designated status; requiring the
20 department, in consultation with the disability
21 community, to develop a logo for business entities
22 designated as Florida Unique Abilities Partners;
23 requiring the department to adopt guidelines and
24 requirements for the use of the logo; authorizing the
25 department to allow a designated business entity to
26 display a logo; prohibiting the use of a logo if a
27 business entity does not have a current designation;
28 requiring the department to maintain a website with
29 specified information; requiring the Agency for

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2016388__

30 Persons with Disabilities to provide a link on its
31 website to the department's website for the program;
32 requiring the department to provide the Florida
33 Tourism Industry Marketing Corporation with certain
34 information; requiring the department and CareerSource
35 Florida, Inc., to identify employment opportunities
36 posted by business entities that receive the Florida
37 Unique Abilities Partner designation on the workforce
38 information system; requiring a report to the
39 Legislature; providing report requirements; requiring
40 the department to adopt rules; amending s. 20.60,
41 F.S.; revising requirements for the department's
42 annual report to conform to changes made by the act;
43 providing appropriations; providing effective dates.

44
45 Be It Enacted by the Legislature of the State of Florida:

46
47 Section 1. Florida Unique Abilities Partner Program.—
48 (1) CREATION AND PURPOSE.—The Department of Economic
49 Opportunity shall establish the Florida Unique Abilities Partner
50 Program to designate a business entity as a Florida Unique
51 Abilities Partner if the business entity demonstrates
52 commitment, through employment or support, to the independence
53 of individuals who have a disability. The department shall
54 consult with the Agency for Persons with Disabilities, the
55 Division of Vocational Rehabilitation of the Department of
56 Education, the Division of Blind Services of the Department of
57 Education, and CareerSource Florida, Inc., in creating the
58 program.

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2016388__

59 (2) DEFINITIONS.—As used in this section, the term:

60 (a) "Department" means the Department of Economic
61 Opportunity.

62 (b) "Individuals who have a disability" means persons who
63 have a physical or intellectual impairment that substantially
64 limits one or more major life activities, persons who have a
65 history or record of such an impairment, or persons who are
66 perceived by others as having such an impairment.

67 (3) DESIGNATION.—

68 (a) A business entity may apply to the department to be
69 designated as a Florida Unique Abilities Partner, based on the
70 business entity's achievements in at least one of the following
71 categories:

72 1. Employment of individuals who have a disability.

73 2. Contributions to local or national disability
74 organizations.

75 3. Contributions to, or the establishment of, a program
76 that contributes to the independence of individuals who have a
77 disability.

78 (b) As an alternative to application by a business entity,
79 the department must consider nominations from members of the
80 community where the business entity is located. The nomination
81 must identify the business entity's achievements in at least one
82 of the categories provided in paragraph (a).

83 (c) The name, location, and contact information of the
84 business entity must be included in the business entity's
85 application or nomination.

86 (d) The department shall adopt procedures for the
87 application, nomination, and designation processes for the

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88 Florida Unique Abilities Partner Program. Designation as a
89 Florida Unique Abilities Partner does not establish or involve
90 licensure, does not affect the substantial interests of a party,
91 and does not constitute a final agency action. The Florida
92 Unique Abilities Partner Program and designation are not subject
93 to chapter 120, Florida Statutes.

94 (4) ELIGIBILITY AND AWARD.-In determining the eligibility
95 for the designation of a business entity as a Florida Unique
96 Abilities Partner, the department shall consider, at a minimum,
97 the following criteria:

98 (a) For a designation based on an application by a business
99 entity, the business entity must certify that:

100 1. It employs at least one individual who has a disability.
101 Such employees must be residents of this state and must have
102 been employed by the business entity for at least 9 months
103 before the business entity's application for the designation.
104 The department may not require the employer to provide
105 personally identifiable information about its employees;
106 2. It has made contributions to local and national
107 disability organizations or contributions in support of
108 individuals who have a disability. Contributions may be
109 accomplished through financial or in-kind contributions,
110 including employee volunteer hours. Contributions must be
111 documented by providing copies of written receipts or letters of
112 acknowledgment from recipients or donees. A business entity with
113 100 or fewer employees must make a financial or in-kind
114 contribution of at least \$1,000, and a business entity with more
115 than 100 employees must make a financial or in-kind contribution
116 of at least \$5,000; or

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117 3. It has established, or has contributed to the
118 establishment of, a program that contributes to the independence
119 of individuals who have a disability. Contributions must be
120 documented by providing copies of written receipts, a summary of
121 the program, program materials, or letters of acknowledgment
122 from program participants or volunteers. A business entity with
123 100 or fewer employees must make a financial or in-kind
124 contribution of at least \$1,000 in the program, and a business
125 entity with more than 100 employees must make a financial or in-
126 kind contribution of at least \$5,000.

127
128 A business entity that applies to the department to be
129 designated as a Florida Unique Abilities Partner shall be
130 awarded the designation upon meeting the requirements of this
131 section.

132 (b) For a designation based upon receipt of a nomination of
133 a business entity:

134 1. The department shall determine whether the nominee,
135 based on the information provided by the nominating person or
136 entity, meets the requirements of paragraph (a). The department
137 may request additional information from the nominee.

138 2. If the nominee meets the requirements, the department
139 shall provide notice, including the qualification criteria
140 provided in the nomination, to the nominee regarding the
141 nominee's eligibility to be awarded a designation as a Florida
142 Unique Abilities Partner.

143 3. The nominee shall be provided 30 days after receipt of
144 the notice to certify that the information in the notice is true
145 and accurate and accept the nomination, to provide corrected

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146 information for consideration by the department and indicate an
147 intention to accept the nomination, or to decline the
148 nomination. If the nominee accepts the nomination, the
149 department shall award the designation. The department may not
150 award the designation if the nominee declines the nomination or
151 has not accepted the nomination within 30 days of receiving
152 notice.

153 (5) ANNUAL CERTIFICATION.—After an initial designation as a
154 Florida Unique Abilities Partner, a business entity must certify
155 each year that it continues to meet the criteria for the
156 designation. If the business entity does not submit the yearly
157 certification of continued eligibility, the department shall
158 remove the designation. The business entity may elect to
159 discontinue its designation status at any time by notifying the
160 department of such decision.

161 (6) LOGO DEVELOPMENT.—

162 (a) The department, in consultation with members of the
163 disability community, shall develop a logo that identifies a
164 business entity that is designated as a Florida Unique Abilities
165 Partner.

166 (b) The department shall adopt guidelines and requirements
167 for the use of the logo, including how the logo may be used in
168 advertising. The department may allow a business entity to
169 display a Florida Unique Abilities Partner logo upon
170 designation. A business entity that has not been designated as a
171 Florida Unique Abilities Partner or has elected to discontinue
172 its designated status may not display the logo.

173 (7) WEBSITE.—The department shall maintain a website for
174 the program. At a minimum, the website must provide a list of

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175 business entities, by county, which currently have the Florida
176 Unique Abilities Partner designation, updated quarterly;
177 information regarding the eligibility requirements for the
178 designation and the method of application or nomination; and
179 best practices for business entities to facilitate the inclusion
180 of individuals who have a disability, updated annually. The
181 website may provide links to the websites of organizations or
182 other resources that will aid business entities to employ or
183 support individuals who have a disability.

184 (8) INTERAGENCY COLLABORATION.—

185 (a) The Agency for Persons with Disabilities shall provide
186 a link on its website to the department's website for the
187 Florida Unique Abilities Partner Program.

188 (b) On a quarterly basis, the department shall provide the
189 Florida Tourism Industry Marketing Corporation with a current
190 list of all businesses that are designated as Florida Unique
191 Abilities Partners. The Florida Tourism Industry Marketing
192 Corporation must consider the Florida Unique Abilities Partner
193 Program in the development of marketing campaigns, and
194 specifically in any targeted marketing campaign for individuals
195 who have a disability or their families.

196 (c) The department and CareerSource Florida, Inc., shall
197 identify employment opportunities posted by business entities
198 that currently have the Florida Unique Abilities Partner
199 designation on the workforce information system under s.
200 445.011, Florida Statutes.

201 (9) REPORT.—

202 (a) By January 1, 2017, the department shall provide a
203 report to the President of the Senate and the Speaker of the

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204 House of Representatives on the status of the implementation of
205 this section, including the adoption of rules, development of
206 the logo, and development of application procedures.

207 (b) Beginning in 2017 and each year thereafter, the
208 department's annual report required under s. 20.60, Florida
209 Statutes, must describe in detail the progress and use of the
210 program. At a minimum, the report must include, for the most
211 recent year: the number of applications and nominations
212 received; the number of nominations accepted and declined; the
213 number of designations awarded; annual certifications; the use
214 of information provided under subsection (8); and any other
215 information deemed necessary to evaluate the program.

216 (10) RULES.—The department shall adopt rules to administer
217 this section.

218 Section 2. Effective January 1, 2017, paragraph (b) of
219 subsection (10) of section 20.60, Florida Statutes, is amended
220 to read:

221 20.60 Department of Economic Opportunity; creation; powers
222 and duties.—

223 (10) The department, with assistance from Enterprise
224 Florida, Inc., shall, by November 1 of each year, submit an
225 annual report to the Governor, the President of the Senate, and
226 the Speaker of the House of Representatives on the condition of
227 the business climate and economic development in the state.

228 (b) The report must incorporate annual reports of other
229 programs, including:

230 1. The displaced homemaker program established under s.
231 446.50.

232 2. Information provided by the Department of Revenue under

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233 s. 290.014.

234 3. Information provided by enterprise zone development
235 agencies under s. 290.0056 and an analysis of the activities and
236 accomplishments of each enterprise zone.

237 4. The Economic Gardening Business Loan Pilot Program
238 established under s. 288.1081 and the Economic Gardening
239 Technical Assistance Pilot Program established under s.
240 288.1082.

241 5. A detailed report of the performance of the Black
242 Business Loan Program and a cumulative summary of quarterly
243 report data required under s. 288.714.

244 6. The Rural Economic Development Initiative established
245 under s. 288.0656.

246 7. The Florida Unique Abilities Partner Program.

247 Section 3. For the 2016-2017 fiscal year, the sums of
248 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
249 from the Special Employment Security Administration Trust Fund
250 are appropriated to the Department of Economic Opportunity, for
251 the purpose of funding the development, implementation, and
252 administration of the Florida Unique Abilities Partner Program
253 created by this act.

254 Section 4. Except as otherwise expressly provided in this
255 act, this act shall take effect July 1, 2016.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: SB 388

INTRODUCER: Senator Detert

SUBJECT: Individuals with Disabilities

DATE: October 21, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McKay</u>	<u>McKay</u>	<u>CM</u>	Favorable
2.	<u>Gusky</u>	<u>Miller</u>	<u>ATD</u>	Recommended: Favorable
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 388 creates the Florida Unique Abilities Partner designation program to recognize business entities that:

- Employ individuals who have a disability;
- Contribute to organizations that support the independence of individuals who have a disability; or
- Establish or contribute to the establishment of a program that contributes to the independence of individuals who have a disability.

A business that receives the designation must annually re-certify that it continues to meet the criteria for the designation.

The bill requires the Department of Economic Opportunity (DEO) to:

- Work with state agencies and CareerSource Florida, Inc., to create the program;
- Work with disability organizations to develop a logo for the program;
- Maintain a website that provides the list of businesses that have been designated as a Florida Unique Abilities Partner;
- Identify businesses with the designation on the Employ Florida Marketplace system;
- Provide VISIT Florida the list of businesses that have been designated as a Florida Unique Abilities Partner for consideration for use in any marketing campaigns, especially those targeting individuals who have a disability or their families; and
- Report to the Legislature on its progress in implementing the program by January 1, 2017, and then annually thereafter on the program's progress.

For Fiscal Year 2016-2017, the bill appropriates \$100,000 in recurring funds and \$100,000 in nonrecurring funds from the Special Employment Security Administration Trust Fund to fund

the development, implementation, and administration of the Florida Unique Abilities Partner program.

The bill provides an effective date of July 1, 2016, with the exception of the requirement that the DEO include information regarding the Florida Unique Abilities Partner program in the department's annual report. That requirement has an effective date of January 1, 2017.

II. Present Situation:

According to the United States Census Bureau, individuals who have a disability make up approximately 13.4 percent of the population of Florida, and 10.1 percent of individuals ages 18 to 64 (working age) have a disability.¹ In 2014, over 20 percent of working aged individuals who have a disability lived below the federal poverty line in Florida, compared with 14.8 percent of individuals without a disability.²

Individuals who have a disability experience significant disparities in employment and participation in the workforce.³ For example, 17.9 percent of individuals who have a disability are employed in Florida, while over 61 percent of those who do not have a disability are employed.⁴ The trend is similar nationally with a 10.2 percent unemployment rate for individuals who have a disability and a 5.0 percent unemployment rate for individuals without a disability.⁵ According to the National Disability Institute (NDI), many of these individuals would like to find employment, but are concerned if they earn more money it will cause them to lose disability and health benefits.⁶

Corporate Social Responsibility and Consumer Response

Corporate social responsibility is now a standard practice in the business world.⁷ Corporate social responsibility is defined as a company's sense of responsibility toward the community and

¹ U.S. Department of Commerce, U.S. Census Bureau, American Fact Finder, *Selected Social Characteristics in the United States, 2014 American Community Survey 1-year Estimates*, Report DP02, searchable database available at <http://factfinder.census.gov/> (last visited Sept. 29, 2015).

² U.S. Department of Commerce, U.S. Census Bureau, American Fact Finder, *Selected Economic Characteristics for the Civilian Noninstitutionalized Population by Disability Status, 2013, American Community Survey 1-year Estimates*, Report S1811, searchable database available at <http://factfinder.census.gov/> (last visited Sept. 29, 2015).

³ American Institutes for Research, *An Uneven Playing Field: The Lack of Equal Pay for People with Disabilities*, p. 2, December 2014, available at http://www.air.org/sites/default/files/Lack%20of%20Equal%20Pay%20for%20People%20with%20Disabilities_Dec%2014.pdf (last visited Sept. 29, 2015).

⁴ Supra note 2.

⁵ U.S. Department of Labor, Bureau of Labor Statistics, *Table A-6. Employment Status of the Civilian Population by Sex, Age, and Disability Status, not seasonally adjusted*, (for the period of Aug. 2014 to Aug. 2015), available at <http://www.bls.gov/news.release/empsit.t06.htm> (last visited Sept. 29, 2015).

⁶ National Disability Institute with support from the Florida Development Disabilities Council, *The Changing Face of Benefits Knowledge for Successful Employment and Asset Development*, p. 1, March 2013, available at http://www.realeconomicimpact.org/data/files/other%20documents/changing_face_of_benefits_2013.pdf.pdf (last visited Sept. 29, 2015).

⁷ Illia, Laura et al., *Communicating Corporate Social Responsibility to a Cynical Public*, MIT SLOAN MANAGEMENT REVIEW, Feb. 21, 2013, available at http://sloanreview.mit.edu/article/communicating-corporate-social-responsibility-to-a-cynical-public/?use_credit=db34fbf0a135038c9c9102e028c614be (last visited Sept. 29, 2015).

environment,⁸ which may be expressed through support of issues, such as ethical supply sourcing or a contribution to, or support for, social issues and programs. In 2013, corporations in the United States gave approximately \$18.7 billion, consisting of both cash and non-cash donations, such as product donations and employee volunteer hours.⁹ Corporate philanthropy is considered advantageous to a business because it provides the company with a bolstered public image, improved community relations, and increased employee morale.¹⁰

Studies suggest that people value businesses that support causes that are important to them. A recent Nielsen survey found that 55 percent of global respondents indicated a willingness to pay extra for goods and services from businesses that are committed to making a positive social and environmental impact.¹¹ Consumers are becoming “more deliberate and purposeful” in their shopping decisions by patronizing businesses that have similar values to their own.¹² Consumers are also more likely to be loyal to those brands that share their values or are engaged in the support of those causes that are important to them.¹³ People may even base their employment decisions on such values.¹⁴

III. Effect of Proposed Changes:

Section 1 of the bill creates the Florida Unique Abilities Partner program to be administered by the Department of Economic Opportunity (DEO). The purpose of the program is to recognize businesses that demonstrate a commitment to the independence of individuals who have a disability. The DEO must consult with the Agency for Persons with Disabilities, the Divisions of Vocational Rehabilitation and Blind Services of the Department of Education, and CareerSource Florida, Inc., in creating the program.

The bill defines “individuals who have a disability” as persons who have a physical or intellectual impairment that substantially limits one or more major life activities; persons who have a history or record of such an impairment; or persons who are perceived by others as having such an impairment.

In order to be designated as a Florida Unique Abilities Partner, a business must submit an application to the DEO, indicating that the business would qualify for the designation by:

- Employing individuals who have a disability;

⁸ BusinessDictionary.com, available at <http://www.businessdictionary.com/definition/corporate-social-responsibility.html> (last visited Sept. 29, 2015).

⁹ Adams, Susan, *America's Most Generous Companies*, FORBES, July 15, 2014, available at <http://www.forbes.com/sites/susanadams/2014/07/15/americas-most-generous-companies/> (last visited Sept. 29, 2015).

¹⁰ Montini, Laura, *Corporate Altruism Is on the Rise (Infographic)*, INC., Aug. 17, 2014, available at <http://www.inc.com/laura-montini/infographic/the-benefits-of-community-service.html> (last visited Mar. 24, 2015).

¹¹ The Nielsen Company, *Doing Well by Doing Good* (June 2014), available at <http://www.nielsen.com/content/dam/corporate/us/en/reports-downloads/2014%20Reports/global-corporate-social-responsibility-report-june-2014.pdf> (last visited Sept. 29, 2015).

¹² Solomon, Micah, *Six Customer Trends That Will Build or Break Your Business As We Enter 2015*, FORBES, Dec. 25, 2014, available at <http://www.forbes.com/sites/micahsolomon/2014/12/25/six-deep-customer-trends-that-will-build-or-break-your-business-as-we-enter-2015/> (last visited Sept. 29, 2015).

¹³ Irwin, Julie, *Ethical Consumerism Isn't Dead, It Just Needs Better Marketing*, HARVARD BUSINESS REVIEW, Jan. 12, 2015, available at <https://hbr.org/2015/01/ethical-consumerism-isnt-dead-it-just-needs-better-marketing> (last visited Sept. 29, 2015).

¹⁴ Supra note 11.

- Contributing to local or national disability organizations; or
- Contributing to or establishing a program that contributes to the independence of individuals who have a disability.

At a minimum, to qualify for the designation, a business must:

- Employ at least one Florida resident, who has a disability, for at least 9 months before applying for the designation; the DEO may not require the employer to provide any personally identifiable information about its employees;
- Make a financial or in-kind contribution, including employee volunteer hours, to a local or national disability organization or a contribution in support of individuals who have a disability;¹⁵ or
- Establish or contribute to the establishment of a program that contributes to the independence of individuals who have a disability.¹⁶

The DEO may also consider nominations from members of the community regarding a local business entity's qualification for designation as a Florida Unique Abilities Partner. The nomination must identify the business entity's achievements in one or more of the above-referenced categories. Upon receipt of a nomination, the DEO must determine whether the nominee meets the requirements of the program based on the information provided and may request additional information from the nominee if needed. If the nominee meets the requirements, the DEO must notify the nominated business and provide the business the qualifying criteria asserted in the nomination. The nominee has 30 days from the receipt of notice to certify that the information in the notice is true and correct and to either accept or decline the nomination. If a business does not accept the nomination within 30 days, the DEO may not award the designation.

A business must annually certify that it continues to meet the requirements to be designated a Florida Unique Abilities Partner. Failure to submit the annual certification will result in the removal of the business' designation. A business may elect to discontinue its use of the designation by notifying the DEO of such decision.

The DEO must adopt procedures for the application, nomination and designation processes for the Florida Unique Abilities Partner program. The bill specifies that the DEO's designation under this program does not constitute final agency action, and therefore is not subject to the Florida Administrative Procedures Act in ch. 120, F.S.

The bill directs the DEO, in partnership with the disability community, to develop a logo that may be used to identify a business that has been designated as a Florida Unique Abilities Partner. The DEO is responsible for developing guidelines and requirements for the use and display of the Florida Unique Abilities Partner program logo. A business that has not received the designation or has elected to discontinue its designation may not display the logo.

¹⁵ Contributions must be documented by providing copies of written receipts, program materials or letters of acknowledgment from recipients, volunteers, or donees. A business entity with 100 or fewer employees must make a financial or in-kind contribution of at least \$1,000, and a business entity with more than 100 employees must make a financial or in-kind contribution of at least \$5,000.

¹⁶ *Id.*

The DEO must maintain a website that, at a minimum, provides:

- The list of businesses, by county, that currently have the Florida Unique Abilities Partners designation, updated quarterly;
- Information on the eligibility requirements for the designation and the methods of application and nomination; and
- Best practices for businesses to facilitate the inclusion of individuals who have a disability, updated annually.

The website may provide links to the websites of organizations or other resources that will aid business entities in the employment or support individuals who have a disability. The Agency for Persons with Disabilities must provide a link to the DEO website for the Florida Unique Abilities Partner program on its website. On the Employ Florida Marketplace website or successor system, the DEO and CareerSource, Florida, Inc., must identify the employers that currently have a designation as a Florida Unique Abilities Partner designation.

The DEO is required to provide a list of businesses that have a designation as a Florida Unique Abilities Partner to VISIT Florida¹⁷ on a quarterly basis. VISIT Florida must consider using the program and the designees in marketing campaigns, including campaigns that target individuals who have a disability or their families.

The DEO must report its progress in implementing the Florida Unique Abilities Partner program to the Legislature by January 1, 2017. Beginning in 2017, the DEO must describe the progress and use of the program in its annual report required under s. 20.60, F.S.¹⁸

Section 2 amends s. 20.60, F.S., to add the Florida Unique Abilities Partner program to the list of programs the DEO must include in its annual report.

Section 3 provides an appropriation to the DEO to develop, implement, and administer the Florida Unique Abilities Partner program in Fiscal Year 2016-2017 (*See* Section V).

Section 4 provides an effective date of July 1, 2016, unless the bill expressly provides otherwise. The requirement that the DEO include information regarding the Florida Unique Abilities Partner program in the department's annual report has an effective date of January 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁷ VISIT Florida is statutorily referred to as the Florida Tourism Industry Marketing Corporation. *See* s. 288.1226, F.S.

¹⁸ The DEO's annual report is due to the Legislature on November 1 of each year.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Under the Unique Abilities Partner program a business that receives a designation may experience greater patronage due to the designation. Local or national disability organizations may receive additional donations from businesses seeking a designation under the program.

C. Government Sector Impact:

According to the DEO, there will be costs associated with staff time to develop the program, process applications, determine compliance, and designate businesses, and also staff time for IT personnel to create, maintain, and update the website that is required by the bill.¹⁹

For the 2016-2017 fiscal year, the bill appropriates \$100,000 in recurring funds and \$100,000 in nonrecurring funds from the Special Employment Security Administration Trust Fund for the development, implementation, and administration of the Florida Unique Abilities Partner program. Sufficient revenue is available in that fund to support the recurring and nonrecurring appropriations.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 20.60 of the Florida Statutes.

This bill creates an unnumbered section of the Florida Statutes.

¹⁹ The Department of Economic Opportunity, *2015 Senate Bill Analysis for Senate Bill 1246* (Mar. 5, 2015), which included substantively similar provisions (on file with the Senate Commerce and Tourism Committee).

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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



FLORIDA ENTERPRISE FUND: DIVERSIFY FLORIDA'S ECONOMY & SUPPORT SMALL BUSINESS

Presentation to
Florida Senate Appropriations Subcommittee on
Transportation, Tourism and Economic Development





Background of Governor's Recommendations

- The Governor, together with Enterprise Florida, is committed to working with the legislature and stakeholders to improve the economic development process.
- The Governor, together with Enterprise Florida, has proposed reforms after giving careful thought to Legislative concerns including:
 1. Dedicating funds so that they do not revert (Slide 9)
 2. Eliminating escrow and creating trust fund (Slide 10)
 3. Eliminating waivers (Slide 11)
 4. Streamlined approval process (Slide 12)
- Also looked at how our top competitor states do economic development for areas of improvement:
 - Texas
 - New York
 - Georgia
 - South Carolina

OUR MODEL



Texas Enterprise Fund: \$285 M

- **Funds remain available until awarded**
(Florida Enterprise Fund would model after Texas)
- **Streamlined approval process to only require Governor, Senate President & Speaker of the House**
(Florida Enterprise Fund would model after Texas)
- **No special waivers used for projects**
(Florida Enterprise Fund would model after Texas)
- **Dedicated account accrues interest**
(Florida Enterprise Fund would model after Texas)

COMPETITOR



NEW YORK: \$150 M AVAILABLE

- **Funds remain available until awarded**
(Florida Enterprise Fund proposal)
- **No special waivers used for projects**
(Florida Enterprise Fund proposal)

COMPETITOR



GEORGIA: \$46 M AVAILABLE

- **Funds remain available until awarded**
(Florida Enterprise Fund proposal)
- **No special waivers for projects**
(Florida Enterprise Fund proposal)
- **Dedicated account accrues interest**
(Florida Enterprise Fund proposal)

COMPETITOR



S. CAROLINA:

\$58M AVAILABLE

- **Funds remain available until awarded**
(Florida Enterprise Fund proposal)
- **No special waivers used for projects**
(Florida Enterprise Fund proposal)
- **Dedicated account accrues interest**
(Florida Enterprise Fund proposal)

\$250 Million Proposed Florida Enterprise Fund



- **Bring in line with biggest competitor states.**
- **One-time appropriation.**
- **Streamlined approval process to only require approval of Governor, Senate President & Speaker of the House.**
- **Money remains available until it is spent and will not revert.**
- **Dedicated funding will fall in line with business planning, not on a fiscal year-to-year basis.**
- **Continues strong accountability that protects taxpayer money until jobs are created.**

Responsive Reforms



Senate Requests	Florida Enterprise Fund	
Eliminate Escrow	Escrow Eliminated	✓
Limit on waivers	Waivers Eliminated	✓
Limit incentive contracts to 10 years	Limits contracts to 10 years	✓
Earn higher interest rates	Increase interest from .25% up to 1.4%	✓
Larger voice in decisions	Legislative input over \$1M	✓
Reversions minimalized	Reversions Eliminated	✓

Dedicating Funds So They Do Not Revert



- **Too many closing fund dollars have been reverted over the past four years due to the disalignment of business job creation timelines and state fiscal years.**
- **Like Texas, the proposed Florida Enterprise Fund will allow dollars to carry over to compete for jobs.**
- **Like Texas, the proposed Florida Enterprise Fund will allow EFI to negotiate the best deal for taxpayers.**
- **Like Texas, the proposed Florida Enterprise Fund will provide greater certainty for business and greater predictability for taxpayers.**

Eliminating Escrow and Creating a Trust Fund



- **The current escrow system provides a 0.25 percent return for taxpayers and lacks transparency.**
- **Like Texas, the proposed Florida Enterprise Fund will accrue a higher rate of interest at 1.4 percent.**
- **Like Texas, the proposed Florida Enterprise Fund will provide enhanced transparency with no third party involvement.**
- **Like Texas, the interest earned in the proposed Florida Enterprise Fund will facilitate more deals and more jobs for Floridians.**

Eliminating Waivers



- **The proposed Florida Enterprise Fund will eliminate waivers.**
- **The proposed Florida Enterprise Fund will streamline the process and enable greater participation by small businesses.**
- **The proposed Florida Enterprise Fund will maintain project approval flexibility for rural communities.**
- **Reform the return on investment requirements by requiring a 10 percent annualized return on top of the original amount invested in a company.**

Streamlined Approval Process



- **Like Texas, the proposed Florida Enterprise Fund will eliminate the need to schedule special committee meetings.**
- **Like Texas, only the Governor, Senate President and Speaker of the House approve or reject offers.**
- **The Legislature approves or rejects any project over \$1 million, which expands their current authority.**

Why Florida Enterprise Fund Proposal?



“This is about diversifying the economy, which is the entire reason we created this organization in the first place. I think it’s time to double down on that.”

Mark Wilson, President of the Florida Chamber

- **A more diverse, robust economy that’s able to protect the state through a recession.**
- **Small businesses empowered to expand.**
- **Make Florida first in the nation for job creation.**
- **Attract more large manufacturers and corporate headquarters.**

Empowering Small Business



- **Expanding and supporting small business is critical to growing jobs and diversifying Florida's economy.**
- **The current process is too complex and burdensome for small businesses to participate in EFI incentives.**
- **Like Texas, the proposed Florida Enterprise Fund will streamline the process, opening the door for small businesses to succeed.**
- **Like Texas, the proposed Florida Enterprise Fund will have the resources to recruit and retain both large and small companies.**

Business Leaders Support Reforms



- **Belinda Keiser, Vice Chancellor of Keiser University** said regarding the Florida Enterprise Fund, “But I do hope as well that our Senate President, our Speaker, will reach out to our Governor because the clock is ticking and this is a highly competitive process.”
- **Danny Gaekwad, of Ocala and President of NDS Global**, said, “To keep us on the right track as the best state for business, we need the resources necessary to attract and retain high quality jobs. That’s why the Governor’s commitment to reforming the Quick Action Closing Fund is incredibly important as we move forward. I look forward to working with the Governor and legislature to make these reforms happen.”
- **Jay Beyrouti, of Pinellas County and President of Monicarla L.T.D** said, “When Enterprise Florida succeeds in recruiting new business, so do Florida families. Governor Scott’s proposal to create the Florida Enterprise Fund and reform the way Florida achieves jobs wins is great news for every family in our state, and I look forward to working with the Legislature to implement these changes.”

Business Leaders Support Reforms



- **Alan Becker, of Ft. Lauderdale and Vice Chair of Enterprise Florida** said, “For Florida to continue to be the best state for business, we must constantly improve as an organization, and Governor Scott’s recommended reforms to the Quick Action Closing Fund will do that. I believe these four major reforms will provide a strong return on investment for Florida taxpayers while creating more opportunities for Floridians to get a job. I look forward to seeing these improvements come to fruition.”
- **Eric Silagy, of West Palm Beach and President and CEO of Florida Power and Light Company** said, “We all want Florida to not just be the best state to live and work, but the premier place in the world for new job creation. Governor Scott outlined a vision today for improving Enterprise Florida that puts us on a path to accomplish that goal. We look forward to working together to make those improvements a reality so we can continue to attract job creators to our state.”

Business Leaders Support Reforms



- **Neal Dunn MD, F.A.C.S, of Panama City and Chairman of the Board of Directors for Summit Bank**, said, “There is no doubt that the Quick Action Closing Fund needs to be reformed so Enterprise Florida can continue our goal of bringing businesses to Florida. I applaud the Governor for proposing these reforms to move Florida forward as the best state for job creators and families to succeed.”
- **Brian Lamb, of Hillsborough County and Regional President of Fifth Third Bank** said, “We are working every day to attract businesses to Florida that will diversify our economy and ensure job opportunities are available for everyone who needs it. The Quick Action Closing Fund is necessary to securing those job wins, and Governor Scott’s recommendations will make necessary improvements to help Enterprise Florida achieve our job creation mission.”
- **Stan Connally, Chairman of the Legislative Policy Committee and CEO of Gulf Power**, said “The Governor’s recommended reforms to the Quick Action Closing Fund will help Florida out-compete Texas, our number one job competitor, to become the number one state in the country for business. As part of this board, I look forward to working with the Governor, the Legislature and other stakeholders to see these improvements carried out.”



Thank you





THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Higher Education, *Vice Chair*
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Communications, Energy, and Public Utilities
Fiscal Policy
Military and Veterans Affairs, Space, and
Domestic Security
Regulated Industries

SENATOR MARIA LORTS SACHS

Deputy Democratic Whip
34th District

The Honorable Jack Latvala, Chair
Appropriations Subcommittee on Transportation, Tourism, and Economic Development
408 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

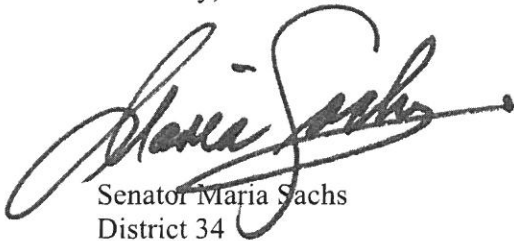
November 3, 2015

Dear Chair Latvala:

Please excuse my absence from the Appropriations Subcommittee on Transportation, Tourism, and Economic Development on Tuesday November 3rd, 2015. Due to a personal commitment I am unable to attend.

Thank you for your consideration.

Sincerely,



Senator Maria Sachs
District 34



REPLY TO:

- Delray Beach City Hall, 100 NW 1st Avenue, Delray Beach, Florida 33444 (561) 279-1427 FAX: (561) 279-1429
- 216 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5034

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD



11/3/2015

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

Meeting Date

158

Bill Number (if applicable)

Topic SB 158

Amendment Barcode (if applicable)

Name Jennifer Langston

Job Title Leg. Affairs Director

Address Apalachee Pkwy

Phone 017-3195

Street lally

Email Jennifer.Langston@flhsr.com

City FL State 32359 Zip

Speaking: For Against Information

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

Representing DHSMU

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

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THE FLORIDA SENATE
APPEARANCE RECORD

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

11-3-2015
Meeting Date

158
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S
Street

Phone 727/897-9291

St. Petersburg FL 33705
City State Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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W

THE FLORIDA SENATE

APPEARANCE RECORD

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

11-3-15
Meeting Date

SP112
Bill Number (if applicable)

Topic VOTE BY MAIL

Amendment Barcode (if applicable)

Name O. D. ELLIOTT

Job Title RETIRED

Address 101-78th AVE NE
Street

Phone 727-526-2673

ST. PETE.; FL. 33702
City State Zip

Email odebr1477@aol.com

Speaking: For Against Information

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

Representing FSALC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE
APPEARANCE RECORD

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

11/3/15
Meeting Date

SB 112
Bill Number (if applicable)

Topic VOLE BY MAIL

Amendment Barcode (if applicable)

Name KEVIN BYRNE

Job Title STATE LEGISLATIVE LIAISON

Address 256 SE TODD AVENUE
Street

Phone 772 979 5899

PORT ST LUCIE FL 34983
City State Zip

Email kevinjbyrne54@gmail.com

Speaking: For Against Information

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

Representing FL STATE ASSOC. OF LETTER CARRIERS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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APPEARANCE RECORD

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

11-3-15

Meeting Date

SB 112

Bill Number (if applicable)

Topic Vote By Mail

Amendment Barcode (if applicable)

Name Albert Cannoli

Job Title Retired

Address 4945 37 AVEN
Street

Phone 727-742-1640

St. Petersburg FL 33710
City State Zip

Email FCMMLMAN3@AOL.COM

Speaking: For Against Information

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

Representing NALC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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W

THE FLORIDA SENATE
APPEARANCE RECORD

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

November 03, 2015
Meeting Date

SB 112
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jasmynne Henderson

Job Title Associate

Address 1028 East Park Avenue
Street

Phone (850) 216-1002

Tallahassee Florida 32301
City State Zip

Email jasmynne@pittman-law.com

Speaking: For Against Information

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

Representing Miami-Dade County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE
APPEARANCE RECORD

8

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

11-3-2015

Meeting Date

388

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S
Street

Phone 727/897-9291

St Peterburg FL 33705
City State Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE
APPEARANCE RECORD

S

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

11/3/15
Meeting Date

Bill Number (if applicable)

Topic ECONOMIC INCENTIVES

Amendment Barcode (if applicable)

Name CHRIS HOLLEY

Job Title EXEC DIR GULF COUNTY EDC

Address 1000 CECIL G. COSTIN BLVD
Street

Phone 850-519-3887

POLT ST JOR FL 32456
City State Zip

Email CHOLLEY@GULFCOUNTYEDC.COM

Speaking: For Against Information

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

Representing GULF COUNTY

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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S-001 (10/14/14)

CourtSmart Tag Report

Room: SB 301

Case:

Type:

Caption: Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development Judge:

Started: 11/3/2015 2:01:15 PM

Ends: 11/3/2015 3:28:09 PM

Length: 01:26:55

2:01:28 PM Meeting called to order
2:01:52 PM Sen. Latvala (Chair)
2:02:19 PM Sen. Hutson, Identification Cards and Driver Licenses
2:02:26 PM S 158
2:03:05 PM Sen. Latvala asks, what are the symbols
2:03:19 PM Sen. Hutson responds
2:04:00 PM Sen. Brandes
2:04:35 PM Sen. Detert
2:05:36 PM Sen. Hutson
2:06:26 PM Sen. Diaz de la Portilla asks, budget amount
2:07:18 PM Sen. Detert answers
2:07:55 PM Sen. Hutson answers asks, is there a fee
2:08:17 PM Sen. Hukill asks, effective date
2:08:46 PM Sen. Hutson answers about when bill will take effect
2:09:04 PM Sen. Gibson asks, who talks to whom
2:09:43 PM Sen. Latvala
2:10:05 PM Sen. Hutson
2:10:14 PM Jennifer Langston, Leg. Affairs Director, Dept. of Highway Safety and Motor Vehicles
2:12:04 PM Brian Pitts, Trustee, Justice-2-Jesus
2:12:45 PM Sen. Detert
2:13:41 PM Sen. Gibson asks, limitation on symbols
2:14:03 PM Sen. Hutson closes on bill
2:14:37 PM Roll call
2:15:10 PM S 112
2:15:26 PM Sen. Thompson, Absentee Voting
2:16:15 PM O. D. Elliott, retired, Florida State Association of Letter Carriers (waives in support)
2:16:39 PM Kevin Byrne speaks for the bill
2:18:20 PM Albert Carroll, retired, National Association of Letter Carriers (waives in support)
2:18:33 PM Sen. Latvala any further questions or comments
2:18:45 PM Sen. Thompson close on bill
2:19:16 PM Roll call
2:19:35 PM S 388
2:19:42 PM Sen. Detert, Individuals with Disabilities
2:21:11 PM Sen. Latvala calls for questions
2:21:29 PM Brian Pitts, Trustee, Justice-2-Jesus
2:25:27 PM Sen. Detert responds to B. Pitts
2:26:12 PM Sen. Latvala
2:26:28 PM Sen. Detert answers question about logo
2:26:56 PM Sen. Latvala
2:27:02 PM Sen. Detert
2:27:50 PM Roll call
2:28:29 PM TAB 4 - Presentation on the Governor's Economic Incentives Proposal
2:29:11 PM Sen. Latvala explains proposal
2:29:41 PM Crystal Sircy, Executive Vice President and Chief Operating Officer, Enterprise Florida
2:40:23 PM Sen. Latvala asks, QTI, quick acting closing, etc.
2:40:41 PM C. Sircy
2:41:54 PM Sen. Latvala asks, existing escrow account
2:42:15 PM C. Sircy
2:42:59 PM Sen. Gibson asks, escrow money
2:43:20 PM C. Sircy
2:44:18 PM Sen. Gibson asks, what happens to the money when they don't meet commitment
2:44:49 PM C. Sircy

2:46:16 PM Sen. Gibson asks, competitors states
2:46:35 PM C. Sircy
2:48:33 PM Sen. Gibson asks, competitors - state taxes
2:48:38 PM C. Sircy
2:48:44 PM Sen. Detert asks, why do we lose out to these states
2:51:02 PM C. Sircy
2:52:13 PM Sen. Detert follow up question about competitor states
2:52:26 PM C. Sircy
2:53:55 PM Sen. Latvala asks, performance based
2:54:30 PM C. Sircy
2:55:28 PM Sen. Latvala
2:55:37 PM C. Sircy
2:56:30 PM Sen. Latvala asks staff about putting money up front
2:56:34 PM Phillip Miller, Staff Director, Senate Appropriations Subcommittee on Transportation, Tourism, and
Economic Development
2:57:33 PM Sen. Latvala asks, diverting funds
2:58:14 PM C. Sircy
3:01:03 PM Sen. Latvala asks, reverting the money
3:01:12 PM C. Sircy
3:01:17 PM P. Miller
3:01:32 PM Sen. Latvala asks, deals in the works
3:02:14 PM P. Miller
3:02:36 PM Sen. Latvala clarification
3:03:19 PM C. Sircy
3:07:46 PM Sen. Latvala
3:07:50 PM C. Sircy
3:11:44 PM Sen. Clemens asks, growth to Florida
3:12:17 PM C. Sircy
3:12:39 PM Sen. Clemens asks, where does it stop
3:13:10 PM C. Sircy
3:15:36 PM Sen. Clemens follow up question about different approaches
3:15:56 PM C. Sircy
3:17:40 PM Sen. Brandes asks, unemployment rate
3:17:58 PM C. Sircy
3:18:47 PM Sen. Brandes
3:19:24 PM C. Sircy
3:21:23 PM Sen. Brandes asks, incentives/ targeted tax cuts
3:21:28 PM C. Sircy
3:22:35 PM Sen. Brandes asks, sales tax
3:22:48 PM C. Sircy
3:23:20 PM Sen. Brandes asks, studies saying this
3:23:27 PM C. Sircy
3:23:49 PM Sen. Brandes
3:24:05 PM Sen. Clemens
3:24:41 PM Sen. Gibson asks, small businesses
3:26:00 PM Sen. Latvala
3:26:55 PM Chris Holley, Executive Director, Gulf County
3:27:05 PM Sen. Latvala
3:27:50 PM Sen. Latvala closing comments