

By Senator Jones

40-222-01

1 A bill to be entitled
2 An act relating to elections; amending s.
3 101.62, F.S.; providing for on-line requests
4 for absentee ballots; amending s. 97.052, F.S.;
5 providing for on-line voter registration;
6 prescribing standards for such registration;
7 providing duties of the Department of State
8 with respect to establishing standards for
9 on-line registration and on-line absentee
10 ballot requests; providing an effective date.

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

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14 Section 1. Subsection (1) of section 101.62, Florida
15 Statutes, is amended to read:

16 101.62 Request for absentee ballots.--

17 (1)(a) The supervisor may accept a request for an
18 absentee ballot from an elector in person or in writing.
19 Additionally, each supervisor must provide electors with the
20 opportunity to request an absentee ballot on-line through the
21 Internet.One request shall be deemed sufficient to receive an
22 absentee ballot for all elections which are held within a
23 calendar year, unless the elector or the elector's designee
24 indicates at the time the request is made the elections for
25 which the elector desires to receive an absentee ballot. Such
26 request may be considered canceled when any first-class mail
27 sent by the supervisor to the elector is returned as
28 undeliverable.

29 (b) The supervisor may accept an on-line request for
30 an absentee ballot from the elector.The supervisor may accept
31 a written or telephonic request for an absentee ballot from

1 the elector, or, if directly instructed by the elector, a
2 member of the elector's immediate family, or the elector's
3 legal guardian. For purposes of this section, the term
4 "immediate family" has the same meaning as specified in
5 paragraph (4)(b). The person making the request must
6 disclose:

- 7 1. The name of the elector for whom the ballot is
8 requested;
- 9 2. The elector's address;
- 10 3. The last four digits of the elector's social
11 security number;
- 12 4. The registration number on the elector's
13 registration identification card;
- 14 5. The requester's name;
- 15 6. The requester's address;
- 16 7. The requester's social security number and, if
17 available, driver's license number;
- 18 8. The requester's relationship to the elector; and
- 19 9. The requester's signature (written requests only).

20 Section 2. Section 97.052, Florida Statutes, is
21 amended to read:

22 97.052 Uniform statewide voter registration
23 application.--

24 (1) The department shall prescribe a uniform statewide
25 voter registration application for use in this state.

26 (a) The uniform statewide voter registration
27 application must be accepted for any one or more of the
28 following purposes:

- 29 1. Initial registration.
- 30 2. Change of address.
- 31 3. Change of party affiliation.

1 4. Change of name.

2 5. Replacement of voter registration identification
3 card.

4 (b) The department is responsible for printing the
5 uniform statewide voter registration application and the voter
6 registration application form prescribed by the Federal
7 Election Commission pursuant to the National Voter
8 Registration Act of 1993. The applications and forms must be
9 distributed, upon request, to the following:

10 1. Individuals seeking to register to vote.

11 2. Individuals or groups conducting voter registration
12 programs. A charge of 1 cent per application shall be assessed
13 on requests for 10,000 or more applications.

14 3. The Department of Highway Safety and Motor
15 Vehicles.

16 4. Voter registration agencies.

17 5. Armed forces recruitment offices.

18 6. Qualifying educational institutions.

19 7. Supervisors, who must make the applications and
20 forms available in the following manner:

21 a. By distributing the applications and forms in their
22 offices to any individual or group.

23 b. By distributing the applications and forms at other
24 locations designated by each supervisor.

25 c. By mailing the applications and forms to applicants
26 upon the request of the applicant.

27 (c) The uniform statewide voter registration
28 application may not be reproduced by any private individual or
29 group.

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1 (2) The uniform statewide voter registration
2 application must be designed to elicit the following
3 information from the applicant:
4 (a) Full name.
5 (b) Date of birth.
6 (c) Address of legal residence.
7 (d) Mailing address, if different.
8 (e) County of legal residence.
9 (f) Address of property for which the applicant has
10 been granted a homestead exemption, if any.
11 (g) Race or ethnicity that best describes the
12 applicant:
13 1. American Indian or Alaskan Native.
14 2. Asian or Pacific Islander.
15 3. Black, not Hispanic.
16 4. White, not Hispanic.
17 5. Hispanic.
18 (h) Sex.
19 (i) Party affiliation.
20 (j) Whether the applicant needs assistance in voting.
21 (k) Name and address where last registered.
22 (l) Last four digits of the applicant's social
23 security number.
24 (m) Florida driver's license number or the
25 identification number from a Florida identification card
26 issued under s. 322.051.
27 (n) Telephone number (optional).
28 (o) Signature of applicant under penalty for false
29 swearing pursuant to s. 104.011, by which the person
30 subscribes to the oath required by s. 3, Art. VI of the State
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1 Constitution and s. 97.051, and swears or affirms that the
2 information contained in the registration application is true.

3 (p) Whether the application is being used for initial
4 registration, to update a voter registration record, or to
5 request a replacement registration identification card.

6 (q) Whether the applicant is a citizen of the United
7 States.

8 (r) That the applicant has not been convicted of a
9 felony or, if convicted, has had his or her civil rights
10 restored.

11 (s) That the applicant has not been adjudicated
12 mentally incapacitated with respect to voting or, if so
13 adjudicated, has had his or her right to vote restored.

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15 The registration form must be in plain language and designed
16 so that convicted felons whose civil rights have been restored
17 and persons who have been adjudicated mentally incapacitated
18 and have had their voting rights restored are not required to
19 reveal their prior conviction or adjudication.

20 (3) The uniform statewide voter registration
21 application must also contain:

22 (a) The oath required by s. 3, Art. VI of the State
23 Constitution and s. 97.051.

24 (b) A statement specifying each eligibility
25 requirement under s. 97.041.

26 (c) The penalties provided in s. 104.011 for false
27 swearing in connection with voter registration.

28 (d) A statement that, if an applicant declines to
29 register to vote, the fact that the applicant has declined to
30 register will remain confidential and may be used only for
31 voter registration purposes.

1 (e) A statement that informs the applicant who chooses
2 to register to vote or update a voter registration record that
3 the office at which the applicant submits a voter registration
4 application or updates a voter registration record will remain
5 confidential and may be used only for voter registration
6 purposes.

7 (f) A statement that informs the applicant that any
8 person who has been granted a homestead exemption in this
9 state, and who registers to vote in any precinct other than
10 the one in which the property for which the homestead
11 exemption has been granted, shall have that information
12 forwarded to the property appraiser where such property is
13 located, which may result in the person's homestead exemption
14 being terminated and the person being subject to assessment of
15 back taxes under s. 193.092, unless the homestead granted the
16 exemption is being maintained as the permanent residence of a
17 legal or natural dependent of the owner and the owner resides
18 elsewhere.

19 (4) A supervisor may produce a voter registration
20 application that has the supervisor's direct mailing address
21 if the department has reviewed the application and determined
22 that it is substantially the same as the uniform statewide
23 voter registration application.

24 (5) The voter registration application form prescribed
25 by the Federal Election Commission pursuant to the National
26 Voter Registration Act of 1993 or the federal postcard
27 application must be accepted as an application for
28 registration in this state if the completed application or
29 postcard application contains the information required by the
30 constitution and laws of this state.

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