

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Smith offered the following:

Amendment to Amendment (412611) (with title amendment)

On page 52, between lines 25 and 26,

insert:

Section 48. Paragraph (b) of subsection (2) of section 97.041, Florida Statutes, is amended to read:

97.041 Qualifications to register or vote.--

(2) The following persons, who might be otherwise qualified, are not entitled to register or vote:

(b) A person who has been convicted of any felony by any court of record; however, such a person's right to register or vote is automatically restored by operation of law, for persons convicted of a forcible felony as defined in s. 776.08, 5 years after completion and satisfaction of all sentences imposed upon such person or, for all other felons, 1 year after completion and satisfaction of all sentences imposed upon such person. For the purposes of this paragraph, "completion and satisfaction of all sentences" occurs when a person is released from incarceration upon expiration of

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1 sentence and has paid all court costs and court-ordered
2 restitution and has achieved or completed all other
3 nonmonetary terms and conditions of the sentence or subsequent
4 supervision or, if the person has not been incarcerated for
5 the felony offense, has paid all court costs and court-ordered
6 restitution and has achieved or completed all nonmonetary
7 terms and conditions of community supervision imposed by a
8 court and who has not had his or her right to vote restored
9 pursuant to law. If a majority of the Board of Executive
10 Clemency objects before the automatic restoration of the right
11 to register or vote, such rights shall be restored only upon
12 application to, and approval by, the Board of Executive
13 Clemency.

14 Section 49. Subsection (2) of section 97.052, Florida
15 Statutes, is amended to read:

16 97.052 Uniform statewide voter registration
17 application.--

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

- 21 (a) Full name.
22 (b) Date of birth.
23 (c) Address of legal residence.
24 (d) Mailing address, if different.
25 (e) County of legal residence.
26 (f) Address of property for which the applicant has
27 been granted a homestead exemption, if any.
28 (g) Race or ethnicity that best describes the
29 applicant:
30 1. American Indian or Alaskan Native.
31 2. Asian or Pacific Islander.

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- 1 3. Black, not Hispanic.
2 4. White, not Hispanic.
3 5. Hispanic.
4 (h) Sex.
5 (i) Party affiliation.
6 (j) Whether the applicant needs assistance in voting.
7 (k) Name and address where last registered.
8 (l) Last four digits of the applicant's social
9 security number.
10 (m) Florida driver's license number or the
11 identification number from a Florida identification card
12 issued under s. 322.051.
13 (n) Telephone number (optional).
14 (o) Signature of applicant under penalty for false
15 swearing pursuant to s. 104.011, by which the person
16 subscribes to the oath required by s. 3, Art. VI of the State
17 Constitution and s. 97.051, and swears or affirms that the
18 information contained in the registration application is true.
19 (p) Whether the application is being used for initial
20 registration, to update a voter registration record, or to
21 request a replacement registration identification card.
22 (q) Whether the applicant is a citizen of the United
23 States.
24 (r) That the applicant has not been convicted of a
25 felony or, if convicted, has had his or her voting ~~civil~~
26 rights restored.
27 (s) That the applicant has not been adjudicated
28 mentally incapacitated with respect to voting or, if so
29 adjudicated, has had his or her right to vote restored.
30
31 The registration form must be in plain language and designed

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1 so that convicted felons whose voting ~~civil~~ rights have been
2 restored and persons who have been adjudicated mentally
3 incapacitated and have had their voting rights restored are
4 not required to reveal their prior conviction or adjudication.

5 Section 50. Paragraph (a) of subsection (5) of section
6 97.053, Florida Statutes, is amended to read:

7 97.053 Acceptance of voter registration
8 applications.--

9 (5)(a) A voter registration application is complete if
10 it contains:

- 11 1. The applicant's name.
- 12 2. The applicant's legal residence address.
- 13 3. The applicant's date of birth.
- 14 4. An indication that the applicant is a citizen of
15 the United States.
- 16 5. The last four digits of the applicant's social
17 security number.
- 18 6. An indication that the applicant has not been
19 convicted of a felony or that, if convicted, has had his or
20 her voting ~~civil~~ rights restored.
- 21 7. An indication that the applicant has not been
22 adjudicated mentally incapacitated with respect to voting or
23 that, if so adjudicated, has had his or her right to vote
24 restored.
- 25 8. Signature of the applicant swearing or affirming
26 under the penalty for false swearing pursuant to s. 104.011
27 that the information contained in the registration application
28 is true and subscribing to the oath required by s. 3, Art. VI
29 of the State Constitution and s. 97.051.

30 Section 51. Sections 48 through 50 shall take effect
31 on the effective date of an amendment to the State

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1 Constitution which authorizes, or removes impediments to,
2 enactment of these sections by the Legislature.

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

6 And the title is amended as follows:

7 On page 56, line 15,

8

9 after the semicolon, insert:

10 amending s. 97.041, F.S.; providing for
11 automatic restoration of former felon's right
12 to vote following completion and satisfaction
13 of sentence of incarceration and community
14 supervision; providing conditions on such
15 automatic restoration; amending s.s. 97.052,
16 and 97.053, F.S., to conform;

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