



CHAMBER ACTION

The Committee on Procedures recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to voter information; creating s. 100.391, F.S.; requiring the Department of State to prepare a voter information guide for elections in which a constitutional amendment or a candidate for retention as a justice is on the ballot; specifying the information the guide is to contain; providing requirements for the submission, review, and adoption of such information; providing for publication and dissemination of the guide; providing for assessment of fees to cover certain costs of publication and dissemination; providing the department rulemaking authority; providing an effective date.

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

Section 1. Section 100.391, Florida Statutes, is created to read:

100.391 Voter information guide.--



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28 (1) The Department of State shall prepare a voter
29 information guide for any general election at which a proposed
30 constitutional amendment or a question to retain a justice in
31 office will appear on the ballot. The voter information guide
32 for such an election shall include:

33 (a) For each proposed constitutional amendment:

34 1. The title and text of the amendment, indicating any
35 deleted or amended material.

36 2. The form in which the amendment will appear on the
37 ballot, including the number by which it will be designated.

38 3. Arguments supporting and arguments opposing the
39 amendment.

40 4. An economic impact statement for the amendment,
41 comprised of an estimate of the increase or decrease in any
42 revenues or costs to state and local governments resulting from
43 the amendment if adopted.

44 (b) Information relating to the retention of any justice
45 who qualifies to run for retention in office.

46 (c) Voter registration information, including information
47 on how to obtain an absentee ballot.

48 (d) A list of the addresses and telephone numbers of all
49 offices of county supervisors of elections.

50 (2) The arguments supporting and arguments opposing a
51 proposed constitutional amendment required under subparagraph
52 (1)(a)3. shall be provided as follows:

53 (a) The sponsor of the amendment may file with the
54 department an argument supporting adoption of the amendment, and
55 the opponent of the amendment may file an argument opposing



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56 adoption of the amendment. Each argument may not exceed 500
57 words. The argument of the sponsor may not be filed after July 1
58 immediately preceding the general election in which the question
59 is to be submitted to the voters, regardless of whether the
60 amendment has yet been approved by the department for ballot
61 position. The argument of the opponent may not be filed after
62 July 1 immediately preceding the general election. A rebuttal
63 argument not exceeding 250 words may be filed by the sponsor and
64 by the opponent on or before July 10 or within 5 days after the
65 filing of the argument to be rebutted, whichever is later.

66 (b) For purposes of this subsection, the sponsor of an
67 amendment shall be:

68 1. If proposed by initiative, the political committee
69 sponsoring the initiative.

70 2. If proposed by joint resolution, the Legislature, in
71 which case the supporting argument shall be filed jointly by the
72 Senate and the House of Representatives in any manner as may be
73 determined by the President of the Senate and the Speaker of the
74 House of Representatives.

75 3. If proposed by report of a revision commission,
76 constitutional convention, or taxation and budget reform
77 commission, the commission or convention, as applicable.

78 (c) For the purposes of this subsection, the opponent of
79 an amendment shall be:

80 1. Any legislator. If more than one legislator files an
81 argument in opposition, the President of the Senate and the
82 Speaker of the House of Representatives shall jointly select the
83 argument to be used, provided that if the amendment was proposed



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84 | by joint resolution, the argument selected must be one filed by
85 | a legislator who voted against final passage of the resolution.
86 | The selection of an argument by the President of the Senate and
87 | the Speaker of the House of Representatives shall be made within
88 | 5 days after the deadline for filing the argument and shall be
89 | made in any manner as they may agree; or

90 | 2. Any voter, if the amendment was proposed by joint
91 | resolution and no legislator filed an argument in opposition to
92 | it or voted against it. A voter may file an argument in
93 | opposition within 10 days after the original deadline for filing
94 | the argument. Arguments in opposition under this subparagraph
95 | shall be limited to 100 words and shall include both the
96 | opposition argument and the rebuttal of the sponsor's argument.
97 | The department shall include the first five arguments timely
98 | submitted under this subparagraph, provided that the department,
99 | upon advice of counsel, may exclude any argument or rebuttal
100 | containing scurrilous or scandalous matter.

101 | (3) The Revenue Estimating Conference shall prepare and
102 | submit to the department by July 15 immediately preceding the
103 | general election the economic impact statement required under
104 | subparagraph (1)(a)4. for each proposed constitutional amendment
105 | that has been submitted to the Florida Supreme Court for review
106 | in accordance with s. 16.061. It shall consider input from the
107 | public, the Office of Economic and Demographic Research, and any
108 | other entities it deems proper. If the economic impact statement
109 | exceeds 200 words, the Revenue Estimating Conference shall
110 | summarize the statement in 200 words or less and submit the
111 | statement or summary to the department. The voter information



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112 guide shall include an economic impact statement or summary, if
113 applicable, following the arguments supporting or opposing the
114 proposed amendment.

115 (4) The information relating to the retention of justices
116 required under paragraph (1)(b) shall biographical data on each
117 justice subject to a retention vote, to include:

118 (a) Birth date.

119 (b) Birth place.

120 (c) Spouse and children.

121 (d) Educational degrees.

122 (e) Military service.

123 (f) Legal offices and positions.

124 (g) Other significant offices and activities.

125 (h) Significant civic and religious activities.

126 (i) Significant publications and lectures.

127 (5) Following completion of the final voter information
128 guide, the department shall arrange for its publication on the
129 Internet and distribution to every registered political
130 committee and county supervisor of elections office in the
131 state. The guide shall be published and distributed not later
132 than 30 days prior to the general election. Sample ballots
133 published or distributed by county supervisors of elections for
134 the general election shall include a statement on how to obtain
135 a voter information guide, including the department's telephone
136 number, Internet address and mailing address. Subject to
137 appropriation, the department shall mail a guide to every
138 household with at least one registered voter in the state.

139 (6) The department shall assess a \$500 fee against:



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140 (a) Sponsors of initiatives submitting arguments
141 supporting an amendment.

142 (b) Registered political committees submitting evaluations
143 or statements of support for or opposition to retention of
144 justices.

145
146 Information shall be excluded from the voter information guide
147 if the fee has not been submitted to the department along with
148 the information to be published in the guide. If for some reason
149 the information of a sponsor or registered political committee
150 is not included in the guide, the department shall refund the
151 fee.

152 (7) The department may adopt rules in accordance with ss.
153 120.536(1) and 120.54 to implement and administer the provisions
154 of this section.

155 Section 2. This act shall take effect January 1, 2004.