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A bill to be entitled
 An act relating to elections; providing a popular name;
 amending s. 97.041, F.S.; providing for automatic
 restoration of former felons' right to vote following
 completion and satisfaction of sentence of incarceration
 and community supervision; providing conditions for such
 automatic restoration; amending ss. 97.052, 97.053, and
 98.0977, to conform; providing a conditional effective
 date.

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

Section 1. Popular name.--This act shall be known by the popular name the "Citizens' Empowerment Act."

Section 2. 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; such a person's right to register or vote is automatically restored by operation of law 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 sentence and has achieved or completed all other nonmonetary terms and conditions of the sentence or subsequent supervision or, if the person has not been incarcerated for a felony offense, has achieved or completed all nonmonetary terms and conditions of community



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31 supervision imposed by a court ~~and who has not had his or her~~
 32 ~~right to vote restored pursuant to law.~~ If a majority of the
 33 Board of Executive Clemency objects before the automatic
 34 restoration of the right to register or vote, such rights shall
 35 be restored only upon application to, and approval by, the Board
 36 of Executive Clemency.

37 Section 3. Subsection (2) of section 97.052, Florida
 38 Statutes, is amended to read:

39 97.052 Uniform statewide voter registration application.--

40 (2) The uniform statewide voter registration application
 41 must be designed to elicit the following information from the
 42 applicant:

- 43 (a) Full name.
- 44 (b) Date of birth.
- 45 (c) Address of legal residence.
- 46 (d) Mailing address, if different.
- 47 (e) County of legal residence.
- 48 (f) Address of property for which the applicant has been
 49 granted a homestead exemption, if any.
- 50 (g) Race or ethnicity that best describes the applicant:
 - 51 1. American Indian or Alaskan Native.
 - 52 2. Asian or Pacific Islander.
 - 53 3. Black, not Hispanic.
 - 54 4. White, not Hispanic.
 - 55 5. Hispanic.
- 56 (h) State or country of birth.
- 57 (i) Sex.
- 58 (j) Party affiliation.
- 59 (k) Whether the applicant needs assistance in voting.
- 60 (l) Name and address where last registered.



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61 (m) Last four digits of the applicant's social security
62 number.

63 (n) Florida driver's license number or the identification
64 number from a Florida identification card issued under s.
65 322.051.

66 (o) Telephone number (optional).

67 (p) Signature of applicant under penalty for false
68 swearing pursuant to s. 104.011, by which the person subscribes
69 to the oath required by s. 3, Art. VI of the State Constitution
70 and s. 97.051, and swears or affirms that the information
71 contained in the registration application is true.

72 (q) Whether the application is being used for initial
73 registration, to update a voter registration record, or to
74 request a replacement registration identification card.

75 (r) Whether the applicant is a citizen of the United
76 States.

77 (s) That the applicant has not been convicted of a felony
78 or, if convicted, has had his or her voting ~~civil~~ rights
79 restored.

80 (t) That the applicant has not been adjudicated mentally
81 incapacitated with respect to voting or, if so adjudicated, has
82 had his or her right to vote restored.

83

84 The registration form must be in plain language and designed so
85 that convicted felons whose voting ~~civil~~ rights have been
86 restored and persons who have been adjudicated mentally
87 incapacitated and have had their voting rights restored are not
88 required to reveal their prior conviction or adjudication.

89 Section 4. Paragraph (a) of subsection (5) of section
90 97.053, Florida Statutes, is amended to read:



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91 97.053 Acceptance of voter registration applications.--

92 (5)(a) A voter registration application is complete if it
93 contains:

94 1. The applicant's name.

95 2. The applicant's legal residence address.

96 3. The applicant's date of birth.

97 4. An indication that the applicant is a citizen of the
98 United States.

99 5. The last four digits of the applicant's social security
100 number.

101 6. An indication that the applicant has not been convicted
102 of a felony or that, if convicted, has had his or her voting
103 ~~civil~~ rights restored.

104 7. An indication that the applicant has not been
105 adjudicated mentally incapacitated with respect to voting or
106 that, if so adjudicated, has had his or her right to vote
107 restored.

108 8. Signature of the applicant swearing or affirming under
109 the penalty for false swearing pursuant to s. 104.011 that the
110 information contained in the registration application is true
111 and subscribing to the oath required by s. 3, Art. VI of the
112 State Constitution and s. 97.051.

113 Section 5. Subsection (1) of section 98.0977, Florida
114 Statutes, is amended to read:

115 98.0977 Statewide voter registration database; development
116 and maintenance.--

117 (1) From the funds appropriated, the department may
118 contract with the Florida Association of Court Clerks to
119 analyze, design, develop, operate, and maintain a statewide, on-
120 line voter registration database and associated website, to be



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121 fully operational statewide by June 1, 2002. The database shall
122 contain voter registration information from each of the 67
123 supervisors of elections in this state and shall be accessible
124 through an Internet website. The system shall provide
125 functionality for ensuring that the database is updated on a
126 daily basis to determine if a registered voter is ineligible to
127 vote for any of the following reasons, including, but not
128 limited to:

- 129 (a) The voter is deceased;
- 130 (b) The voter has been convicted of a felony and has not
131 had his or her voting ~~civil~~ rights restored; or
- 132 (c) The voter has been adjudicated mentally incompetent
133 and his or her mental capacity with respect to voting has not
134 been restored.

135

136 The database shall also allow for duplicate voter registrations
137 to be identified.

138 Section 6. This act shall take effect on the effective
139 date of House Joint Resolution No. __ or another amendment to the
140 State Constitution which authorizes, or removes impediments to,
141 enactment of this act by the Legislature.