

Bill No. HB 1589, 2nd Eng.

Barcode 403032

CHAMBER ACTION

Senate

House

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11 Senator Posey moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 Delete everything after the enacting clause

15

16 and insert:

17 Section 1. Subsections (1), (2), and (11) of section
18 97.012, Florida Statutes, are amendedbsection (14) is
19 added to that section, to read:

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

23 (1) Obtain and maintain uniformity in the ~~application,~~
24 ~~operation, and interpretation and implementation~~ of the
25 election laws. In order to obtain and maintain uniformity in
26 the interpretation and implementation of the elections laws,
27 the Department of State may, pursuant to ss. 120.536(1) and
28 120.54, adopt by rule uniform standards for the proper and
29 equitable interpretation and implementation of the
30 requirements of chapters 97 through 102 and 105 of the
31 Election Code.

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1 (2) Provide uniform standards for the proper and
 2 equitable implementation of the registration laws by
 3 administrative rule of the Department of State adopted
 4 pursuant to ss. 120.536(1) and 120.54.

5 (11) Create and administer ~~maintain~~ a statewide voter
 6 registration system as required by the Help America Vote Act
 7 of 2002 database. The secretary may delegate voter
 8 registration duties and records maintenance activities to
 9 voter registration officials. Any responsibilities delegated
 10 by the secretary shall be performed in accordance with state
 11 and federal law.

12 (14) Bring and maintain such actions at law or in
 13 equity by mandamus or injunction to enforce the performance of
 14 any duties of a county supervisor of elections or any official
 15 performing duties with respect to chapters 97 through 102 and
 16 105 or to enforce compliance with a rule of the Department of
 17 State adopted to interpret or implement any of those chapters.

18 (a) Venue for such actions shall be in the Circuit
 19 Court of Leon County.

20 (b) When the secretary files an action under this
 21 section and not more than 60 days remain before an election as
 22 defined in s. 97.021, or during the time period after the
 23 election and before certification of the election pursuant to
 24 s. 102.112 or s. 102.121, the court, including an appellate
 25 court, shall set an immediate hearing, giving the case
 26 priority over other pending cases.

27 (c) Prior to filing an action to enforce performance
 28 of the duties of the supervisor of elections or any official
 29 described in this subsection, the secretary or his or her
 30 designee first must confer, or must make a good-faith attempt
 31 to confer, with the supervisor of elections or the official to

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1 ensure compliance with chapters 97 through 102 and 105 or the
2 rules of the Department of State adopted under any of those
3 chapters.

4 Section 2. Subsection (13) of section 97.021, Florida
5 Statutes, is amended, present subsections (38) and (39) are
6 renumbered as subsections (39) and (40), respectively, and a
7 new subsection (38) is added to that section, to read:

8 97.021 Definitions.--For the purposes of this code,
9 except where the context clearly indicates otherwise, the
10 term:

11 (13) "Lists of registered electors" means names and
12 associated information ~~copies of printed lists~~ of registered
13 electors maintained by the department in the statewide voter
14 registration system or generated or derived from the statewide
15 voter registration system. Lists may be produced in printed or
16 electronic format, ~~computer tapes or disks, or any other~~
17 ~~device used by the supervisor of elections to maintain voter~~
18 ~~records.~~

19 (38) "Voter registration official" means any
20 supervisor of elections or individual authorized by the
21 Secretary of State to accept voter registration applications
22 and execute updates to the statewide voter registration
23 system.

24 Section 3. Section 97.026, Florida Statutes, is
25 amended to read:

26 97.026 Forms to be available in alternative formats
27 and via the Internet.--It is the intent of the Legislature
28 that all forms required to be used in chapters 97-106 shall be
29 made available upon request, in alternative formats. Such
30 forms shall include absentee ballots as alternative formats
31 for such ballots become available and the Division of

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1 Elections is able to certify systems that provide them. The
 2 department may, pursuant to ss. 120.536(1) and 120.54, adopt
 3 rules to administer this section. Whenever possible, such
 4 forms, with the exception of absentee ballots, shall be made
 5 available by the Department of State via the Internet.
 6 Sections that contain such forms include, but are not limited
 7 to, ss. 97.051, 97.052, 97.053, 97.057, 97.058, 97.0583,
 8 97.071, 97.073, 97.1031, ~~98.055~~, 98.075, 99.021, 100.361,
 9 100.371, 101.045, 101.171, 101.20, 101.6103, 101.62, 101.64,
 10 101.65, 101.657, 105.031, 106.023, and 106.087.

11 Section 4. Section 97.051, Florida Statutes, is
 12 amended to read:

13 97.051 Oath upon registering.--A person registering to
 14 vote must subscribe to the following oath: "I do solemnly
 15 swear (or affirm) that I will protect and defend the
 16 Constitution of the United States and the Constitution of the
 17 State of Florida, that I am qualified to register as an
 18 elector under the Constitution and laws of the State of
 19 Florida, and that all information provided in this application
 20 is true ~~I am a citizen of the United States and a legal~~
 21 ~~resident of Florida.~~"

22 Section 5. Section 97.052, Florida Statutes, is
 23 amended to read:

24 97.052 Uniform statewide voter registration
 25 application.--

26 (1) The department shall prescribe by rule a uniform
 27 statewide voter registration application for use in this
 28 state.

29 (a) The uniform statewide voter registration
 30 application must be accepted for any one or more of the
 31 following purposes:

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- 1 1. Initial registration.
- 2 2. Change of address.
- 3 3. Change of party affiliation.
- 4 4. Change of name.
- 5 5. Replacement of a voter information registration
- 6 identification card.
- 7 6. Signature update.

8 (b) The department is responsible for printing the
 9 uniform statewide voter registration application and the voter
 10 registration application form prescribed by the ~~Federal~~
 11 Election Assistance Commission pursuant to federal law ~~the~~
 12 ~~National Voter Registration Act of 1993~~. The applications and
 13 forms must be distributed, upon request, to the following:

- 14 1. Individuals seeking to register to vote or update a
- 15 voter registration record.
- 16 2. Individuals or groups conducting voter registration
- 17 programs. A charge of 1 cent per application shall be assessed
- 18 on requests for 10,000 or more applications.
- 19 3. The Department of Highway Safety and Motor
- 20 Vehicles.
- 21 4. Voter registration agencies.
- 22 5. Armed forces recruitment offices.
- 23 6. Qualifying educational institutions.
- 24 7. Supervisors, who must make the applications and
- 25 forms available in the following manner:
- 26 a. By distributing the applications and forms in their
- 27 offices to any individual or group.
- 28 b. By distributing the applications and forms at other
- 29 locations designated by each supervisor.
- 30 c. By mailing the applications and forms to applicants
- 31 upon the request of the applicant.

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1 (c) The uniform statewide voter registration
 2 application may be reproduced by any private individual or
 3 group, provided the reproduced application is in the same
 4 format as the application prescribed by rule under this
 5 section.

6 (2) The uniform statewide voter registration
 7 application must be designed to elicit the following
 8 information from the applicant:

9 (a) Last, first, and middle ~~Full~~ name, including any
 10 suffix.

11 (b) Date of birth.

12 (c) Address of legal residence.

13 (d) Mailing address, if different.

14 (e) County of legal residence.

15 ~~(f) Address of property for which the applicant has
 16 been granted a homestead exemption, if any.~~

17 ~~(f)(g)~~ Race or ethnicity that best describes the
 18 applicant:

- 19 1. American Indian or Alaskan Native.
- 20 2. Asian or Pacific Islander.
- 21 3. Black, not Hispanic.
- 22 4. White, not Hispanic.
- 23 5. Hispanic.

24 ~~(g)(h)~~ State or country of birth.

25 ~~(h)(i)~~ Sex.

26 ~~(i)(j)~~ Party affiliation.

27 ~~(j)(k)~~ Whether the applicant needs assistance in
 28 voting.

29 ~~(k)(l)~~ Name and address where last registered.

30 ~~(l)(m)~~ Last four digits of the applicant's social
 31 security number.

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1 ~~(m)(n)~~ Florida driver's license number or the
2 identification number from a Florida identification card
3 issued under s. 322.051.

4 (n) An indication, if applicable, that the applicant
5 has not been issued a Florida driver's license, a Florida
6 identification card, or a social security number.

7 (o) Telephone number (optional).

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

13 (q) Whether the application is being used for initial
14 registration, to update a voter registration record, or to
15 request a replacement voter information registration
16 identification card.

17 (r) Whether the applicant is a citizen of the United
18 States by asking the question "Are you a citizen of the United
19 States of America?" and providing boxes for the applicant to
20 check to indicate whether the applicant is or is not a citizen
21 of the United States.

22 (s) Whether ~~That~~ the applicant has ~~not~~ been convicted
23 of a felony, and or, if convicted, has had his or her civil
24 rights restored by including the statement "I affirm I am not
25 a convicted felon or, if I am, my rights relating to voting
26 have been restored." and providing a box for the applicant to
27 check to affirm the statement.

28 (t) Whether ~~That~~ the applicant has ~~not~~ been
29 adjudicated mentally incapacitated with respect to voting or,
30 if so adjudicated, has had his or her right to vote restored
31 by including the statement "I affirm I have not been

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1 adjudicated mentally incapacitated with respect to voting or,
 2 if I have, my competency has been restored." and providing a
 3 box for the applicant to check to affirm the statement.

4
 5 The registration application form must be in plain language
 6 and designed so that convicted felons whose civil rights have
 7 been restored and persons who have been adjudicated mentally
 8 incapacitated and have had their voting rights restored are
 9 not required to reveal their prior conviction or adjudication.

10 (3) The uniform statewide voter registration
 11 application must also contain:

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

14 (b) A statement specifying each eligibility
 15 requirement under s. 97.041.

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

18 (d) A statement that, if an applicant declines to
 19 register to vote, the fact that the applicant has declined to
 20 register will remain confidential and may be used only for
 21 voter registration purposes.

22 (e) A statement that informs the applicant who chooses
 23 to register to vote or update a voter registration record that
 24 the office at which the applicant submits a voter registration
 25 application or updates a voter registration record will remain
 26 confidential and may be used only for voter registration
 27 purposes.

28 ~~(f) A statement that informs the applicant that any~~
 29 ~~person who has been granted a homestead exemption in this~~
 30 ~~state, and who registers to vote in any precinct other than~~
 31 ~~the one in which the property for which the homestead~~

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1 ~~exemption has been granted, shall have that information~~
 2 ~~forwarded to the property appraiser where such property is~~
 3 ~~located, which may result in the person's homestead exemption~~
 4 ~~being terminated and the person being subject to assessment of~~
 5 ~~back taxes under s. 193.092, unless the homestead granted the~~
 6 ~~exemption is being maintained as the permanent residence of a~~
 7 ~~legal or natural dependent of the owner and the owner resides~~
 8 ~~elsewhere.~~

9 (f)(g) A statement informing an ~~the~~ applicant who has
 10 not been issued a Florida driver's license, a Florida
 11 identification card, or a social security number that if the
 12 application form is submitted by mail and the applicant is
 13 registering for the first time in this state, the applicant
 14 will be required to provide identification prior to voting the
 15 first time.

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

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

28 (6) If a voter registration applicant fails to provide
 29 any of the required information on the voter registration
 30 application form, the supervisor shall notify the applicant of
 31 the failure by mail within 5 business days after the

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1 supervisor has the information available in the voter
 2 registration system. The applicant shall have an opportunity
 3 to complete the application form to vote in the next election
 4 up until the book closing for that next election.

5 Section 6. Section 97.053, Florida Statutes, is
 6 amended to read:

7 97.053 Acceptance of voter registration
 8 applications.--

9 (1) Voter registration applications, changes in
 10 registration, and requests for a replacement voter information
 11 ~~registration identification~~ card must be accepted in the
 12 office of any supervisor, the division, a driver license
 13 office, a voter registration agency, or an armed forces
 14 recruitment office when hand delivered by the applicant or a
 15 third party during the hours that office is open or when
 16 mailed.

17 (2) A ~~completed~~ voter registration application is
 18 complete and that contains the information necessary to
 19 ~~establish an applicant's eligibility pursuant to s. 97.041~~
 20 becomes the official voter registration record of that
 21 applicant when all information necessary to establish the
 22 applicant's eligibility pursuant to s. 97.041 is received by a
 23 voter registration official and verified pursuant to
 24 subsection (6) the appropriate supervisor. If the applicant
 25 fails to complete his or her voter registration application
 26 prior to the date of book closing for an election, then such
 27 applicant shall not be eligible to vote in that election.

28 (3) The registration date for a valid initial voter
 29 registration application that has been hand delivered is the
 30 date that the application is ~~when~~ received by a driver license
 31 office, a voter registration agency, an armed forces

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1 recruitment office, the division, or the office of any
2 supervisor in the state.

3 (4) The registration date for a valid initial voter
4 registration application that has been mailed to a driver
5 license office, a voter registration agency, an armed forces
6 recruitment office, the division, or the office of any
7 supervisor in the state and bears a clear postmark is the date
8 of that ~~the~~ postmark. If an initial voter registration
9 application that has been mailed does not bear a postmark or
10 if the postmark is unclear, the registration date is the date
11 the application ~~registration~~ is received by any supervisor or
12 the division, unless it is received within 5 days after the
13 closing of the books for an election, excluding Saturdays,
14 Sundays, and legal holidays, in which case the registration
15 date is the book-closing date.

16 (5)(a) A voter registration application is complete if
17 it contains the following information necessary to establish
18 the applicant's eligibility pursuant to s. 97.041, including:

- 19 1. The applicant's name.
- 20 2. The applicant's legal residence address.
- 21 3. The applicant's date of birth.
- 22 4. A mark in the checkbox affirming ~~An indication~~ that
23 the applicant is a citizen of the United States.

24 5.a. The applicant's current and valid Florida
25 driver's license number or the identification number from a
26 Florida identification card issued under s. 322.051, or

27 b. If the applicant has not been issued a current and
28 valid Florida driver's license or a Florida identification
29 card, the last four digits of the applicant's social security
30 number.

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1 In case an applicant has not been issued a current and valid
 2 Florida driver's license, Florida identification card, or
 3 social security number, the applicant shall affirm this fact
 4 in the manner prescribed in the uniform statewide voter
 5 registration application.

6 6. A mark in the checkbox affirming ~~An indication~~ that
 7 the applicant has not been convicted of a felony or that, if
 8 convicted, has had his or her civil rights restored.

9 7. A mark in the checkbox affirming ~~An indication~~ that
 10 the applicant has not been adjudicated mentally incapacitated
 11 with respect to voting or that, if so adjudicated, has had his
 12 or her right to vote restored.

13 8. The original signature or a digital signature
 14 transmitted by the Department of Highway Safety and Motor
 15 Vehicles of the applicant swearing or affirming under the
 16 penalty for false swearing pursuant to s. 104.011 that the
 17 information contained in the registration application is true
 18 and subscribing to the oath required by s. 3, Art. VI of the
 19 State Constitution and s. 97.051.

20 (b) An applicant who fails to designate party
 21 affiliation must be registered without party affiliation. The
 22 supervisor must notify the voter by mail that the voter has
 23 been registered without party affiliation and that the voter
 24 may change party affiliation as provided in s. 97.1031.

25 (6) A voter registration application may be accepted
 26 as valid only after the department has verified the
 27 authenticity or nonexistence of the driver's license number,
 28 the Florida identification card number, or the last four
 29 digits of the social security number provided by the
 30 applicant. If a completed voter registration application has
 31 been received by the book-closing deadline but the driver's

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1 license number, the Florida identification card number, or the
 2 last four digits of the social security number provided by the
 3 applicant cannot be verified prior to the applicant presenting
 4 himself or herself to vote, the applicant shall be provided a
 5 provisional ballot. The provisional ballot shall be counted
 6 only if the application is verified by the end of the
 7 canvassing period or if the applicant presents evidence to the
 8 supervisor of elections sufficient to verify the authenticity
 9 of the driver's license number, Florida identification card
 10 number, or last four digits of the social security number
 11 provided on the application no later than 5 p.m. of the third
 12 day following the election.

13 (7) All voter registration applications received by a
 14 voter registration official shall be entered into the
 15 statewide voter registration system within 15 days after
 16 receipt. Once entered, the application shall be immediately
 17 forwarded to the appropriate supervisor of elections.

18 Section 7. Subsections (1), (2), and (3) of section
 19 97.0535, Florida Statutes, are amended to read:

20 97.0535 Special requirements for certain applicants.--

21 (1) Each applicant who registers by mail and who has
 22 never previously voted in the state and who the department has
 23 verified has not been issued a current and valid Florida
 24 driver's license, Florida identification card, or social
 25 security number ~~county~~ shall be required to provide a copy of
 26 a current and valid identification, as provided in subsection
 27 (3), or indicate that he or she is exempt from the
 28 requirements prior to voting. Such ~~The applicant may provide~~
 29 ~~the~~ identification or indication may be provided at the time
 30 of registering, or at any time prior to voting for the first
 31 time in the state ~~county~~. If the voter registration

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1 application clearly provides information from which a voter
 2 registration official ~~the supervisor~~ can determine that the
 3 applicant meets at least one of the exemptions in subsection
 4 (4), the voter registration official ~~supervisor~~ shall make the
 5 notation on the registration records of the statewide voter
 6 registration system and the applicant shall not be required to
 7 provide the identification required by this section ~~further~~
 8 ~~information that is required of first time voters who register~~
 9 ~~by mail.~~

10 (2) The voter registration official ~~supervisor~~ of
 11 ~~elections~~ shall, upon accepting the voter registration
 12 application submitted pursuant to subsection (1) ~~for an~~
 13 ~~applicant who registered by mail and who has not previously~~
 14 ~~voted in the county~~, determine if the applicant provided the
 15 required identification at the time of registering. If the
 16 required identification was not provided, the supervisor shall
 17 notify the applicant that he or she must provide the
 18 identification prior to voting the first time in the state
 19 ~~county.~~

20 (3)(a) The following forms of identification shall be
 21 considered current and valid if they contain the name and
 22 photograph of the applicant and have not expired:

- 23 ~~1. Florida driver's license.~~
- 24 ~~2. Florida identification card issued by the~~
 25 ~~Department of Highway Safety and Motor Vehicles.~~
- 26 ~~1.3.~~ United States passport.
- 27 ~~2.4.~~ Employee badge or identification.
- 28 ~~3.5.~~ Buyer's club identification.
- 29 ~~4.6.~~ Debit or credit card.
- 30 ~~5.7.~~ Military identification.
- 31 ~~6.8.~~ Student identification.

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1 ~~7.9.~~ Retirement center identification.

2 ~~8.10.~~ Neighborhood association identification.

3 ~~11.~~ Entertainment identification.

4 ~~9.12.~~ Public assistance identification.

5 (b) The following forms of identification shall be
6 considered current and valid if they contain the name and
7 current residence address of the applicant:

8 1. Utility bill.

9 2. Bank statement.

10 3. Government check.

11 4. Paycheck.

12 5. Other government document (excluding voter
13 identification card).

14 Section 8. Subsection (1) of section 97.055, Florida
15 Statutes, is amended to read:

16 97.055 Registration books; when closed for an
17 election.--

18 (1) The registration books must be closed on the 29th
19 day before each election and must remain closed until after
20 that election. If an election is called and there are fewer
21 than 29 days before that election, the registration books must
22 be closed immediately. When the registration books are closed
23 for an election, only updates to a voter's name, address, and
24 signature pursuant to ss. 98.077 and 101.045 will be permitted
25 for purposes of the upcoming election. Voter registration
26 applications and party changes must be accepted but only for
27 the purpose of subsequent elections. However, party changes
28 received between the book-closing date of the first primary
29 election and the date of the second primary election are not
30 effective until after the second primary election.

31 Section 9. Section 97.057, Florida Statutes, is

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1 amended to read:

2 97.057 Voter registration by the Department of Highway
3 Safety and Motor Vehicles.--

4 (1) The Department of Highway Safety and Motor
5 Vehicles shall provide the opportunity to register to vote or
6 to update a voter registration record to each individual who
7 comes to an office of that department to:

- 8 (a) Apply for or renew a driver's license;
- 9 (b) Apply for or renew an identification card pursuant
10 to chapter 322; or

11 (c) Change an address on an existing driver's license
12 or identification card.

13 (2) The Department of Highway Safety and Motor
14 Vehicles shall:

15 (a) Notify each individual, orally or in writing,
16 that:

17 1. Information gathered for the completion of a
18 driver's license or identification card application, renewal,
19 or change of address can be automatically transferred to a
20 voter registration application;

21 2. If additional information and a signature are
22 provided, the voter registration application will be completed
23 and sent to the proper election authority;

24 3. Information provided can also be used to update a
25 voter registration record;

26 4. All declinations will remain confidential and may
27 be used only for voter registration purposes; and

28 5. The particular driver license office in which the
29 person applies to register to vote or updates a voter
30 registration record will remain confidential and may be used
31 only for voter registration purposes.

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1 (b) Require a driver's license examiner to inquire
 2 orally, ~~or, if the applicant is hearing impaired,~~ inquire in
 3 writing ~~if the applicant is hearing impaired, and~~ whether the
 4 applicant wishes to register to vote or update a voter
 5 registration record during the completion of a driver's
 6 license or identification card application, renewal, or change
 7 of address.

8 1. If the applicant chooses to register to vote or to
 9 update a voter registration record:

10 a. All applicable information received by the
 11 Department of Highway Safety and Motor Vehicles in the course
 12 of filling out the forms necessary under subsection (1) must
 13 be transferred to a voter registration application. ~~†~~

14 b. The additional necessary information must be
 15 obtained by the driver's license examiner and must not
 16 duplicate any information already obtained while completing
 17 the forms required under subsection (1). ~~† and~~

18 c. A voter registration application with all of the
 19 applicant's voter registration information required to
 20 establish the applicant's eligibility pursuant to s. 97.041
 21 must be presented to the applicant to review and verify the
 22 voter registration information received and provide an
 23 electronic signature affirming the accuracy of the information
 24 provided sign.

25 2. If the applicant declines to register to vote,
 26 update the applicant's voter registration record, or change
 27 the applicant's address by either orally declining or by
 28 failing to sign the voter registration application, the
 29 Department of Highway Safety and Motor Vehicles must note such
 30 declination on its records and shall forward the declination
 31 to the statewide voter registration system ~~keep the~~

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1 ~~declination for 2 years but must forward a copy of the~~
2 ~~unsigned voter registration application within 5 days after~~
3 ~~receipt to the appropriate supervisor of elections.~~

4 (3) For the purpose of this section, the Department of
5 Highway Safety and Motor Vehicles, with the approval of the
6 Department of State, shall prescribe:

7 (a) A voter registration application that is the same
8 in content, format, and size as the uniform statewide voter
9 registration application prescribed under s. 97.052; and

10 (b) A form that will inform applicants under
11 subsection (1) of the information contained in paragraph
12 (2)(a).

13 (4) The Department of Highway Safety and Motor
14 Vehicles must electronically transmit forward completed voter
15 registration applications within 24 hours after receipt to the
16 statewide voter registration system. Completed paper voter
17 registration applications received by the Department of
18 Highway Safety and Motor Vehicles shall be forwarded within 5
19 days after receipt to the supervisor of the county where the
20 office that processed or received that application is located.

21 (5) The Department of Highway Safety and Motor
22 Vehicles must send, with each driver's license renewal
23 extension application authorized pursuant to s. 322.18(8), a
24 uniform statewide voter registration application, the voter
25 registration application prescribed under paragraph (3)(a), or
26 a voter registration application developed especially for the
27 purposes of this subsection by the Department of Highway
28 Safety and Motor Vehicles, with the approval of the Department
29 of State, which must meet the requirements of s. 97.052.

30 (6) A person providing voter registration services for
31 a driver license office may not:

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1 (a) Seek to influence an applicant's political
2 preference or party registration;

3 (b) Display any political preference or party
4 allegiance;

5 (c) Make any statement to an applicant or take any
6 action the purpose or effect of which is to discourage the
7 applicant from registering to vote; or

8 (d) Disclose any applicant's voter registration
9 information except as needed for the administration of voter
10 registration.

11 ~~(7) The Department of Highway Safety and Motor
12 Vehicles shall compile lists, by county, of those individuals
13 whose names have been purged from its driver's license
14 database because they have been licensed in another state and
15 shall provide those lists annually to the appropriate
16 supervisors.~~

17 (7)(8) The Department of Highway Safety and Motor
18 Vehicles shall collect data determined necessary by the
19 Department of State for program evaluation and reporting to
20 the ~~Federal~~ Election Assistance Commission pursuant to federal
21 law ~~the National Voter Registration Act of 1993.~~

22 (8)(9) The Department of Highway Safety and Motor
23 Vehicles must ensure that all voter registration services
24 provided by driver license offices are in compliance with the
25 Voting Rights Act of 1965.

26 (9) The Department of Highway Safety and Motor
27 Vehicles shall retain complete records of voter registration
28 information received, processed, and submitted to the
29 statewide voter registration system by the Department of
30 Highway Safety and Motor Vehicles. These records shall be for
31 the explicit purpose of supporting audit and accounting

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1 controls established to ensure accurate and complete
 2 electronic transmission of records between the statewide voter
 3 registration system and the Department of Highway Safety and
 4 Motor Vehicles.

5 (10) The department shall provide the Department of
 6 Highway Safety and Motor Vehicles with an electronic database
 7 of street addresses valid for use as the legal residence
 8 address as required in s. 97.053(5). The Department of Highway
 9 Safety and Motor Vehicles shall compare the address provided
 10 by the applicant against the database of valid street
 11 addresses. If the address provided by the applicant does not
 12 match a valid street address in the database, the applicant
 13 will be asked to verify the address provided. The Department
 14 of Highway Safety and Motor Vehicles shall not reject any
 15 application for voter registration for which a valid match
 16 cannot be made.

17 (11) The Department of Highway Safety and Motor
 18 Vehicles shall enter into an agreement with the department to
 19 match information in the statewide voter registration system
 20 with information in the database of the Department of Highway
 21 Safety and Motor Vehicles to the extent required to verify the
 22 accuracy of the driver's license number, Florida
 23 identification number, or last four digits of the social
 24 security number provided on applications for voter
 25 registration as required in s. 97.053.

26 (12) The Department of Highway Safety and Motor
 27 Vehicles shall enter into an agreement with the Commissioner
 28 of Social Security as required by the Help America Vote Act of
 29 2002 to verify the last four digits of the social security
 30 number provided in applications for voter registration as
 31 required in s. 97.053.

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1 Section 10. Subsections (6), (7), and (9) of section
2 97.058, Florida Statutes, are amended to read:

3 97.058 Voter registration agencies.--

4 (6) A voter registration agency must forward all
5 completed and incomplete voter registration applications
6 within 5 days after receipt to the supervisor of the county
7 where the agency that processed or received that application
8 is located.

9 (7) A voter registration agency must retain
10 declinations for a period of 2 years, during which time the
11 declinations are not considered a record of the client
12 pursuant to the laws governing the agency's records. ~~However,~~
13 ~~a voter registration agency must forward a copy of each~~
14 ~~incompleted voter registration application within 5 days after~~
15 ~~receipt to the appropriate supervisor of elections.~~

16 (9) A voter registration agency must collect data
17 determined necessary by the department, as provided by rule,
18 for program evaluation and reporting to the ~~Federal~~ Election
19 Assistance Commission pursuant to federal law ~~the National~~
20 ~~Voter Registration Act of 1993.~~

21 Section 11. Section 97.061, Florida Statutes, is
22 amended to read:

23 97.061 Special registration for electors requiring
24 assistance.--

25 (1) Any person who is eligible to register and who is
26 unable to read or write or who, because of some disability,
27 needs assistance in voting shall upon that person's request be
28 registered ~~by the supervisor~~ under the procedure prescribed by
29 this section and shall be entitled to receive assistance at
30 the polls under the conditions prescribed by this section. The
31 department may adopt rules to administer this section.

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1 (2) If a person is qualified to register pursuant to
 2 this section, the voter registration official ~~supervisor~~ shall
 3 note in that person's registration record that the person
 4 needs assistance in voting.

5 (3) The precinct register generated by the supervisor
 6 shall contain ~~Upon registering any person pursuant to this~~
 7 ~~section, the supervisor must make a notation on the~~
 8 ~~registration books or records which are delivered to the polls~~
 9 ~~on election day~~ that such person is eligible for assistance in
 10 voting, and the supervisor may ~~issue such person a special~~
 11 ~~registration identification card or make a~~ some notation on
 12 the voter information ~~regular registration identification~~ card
 13 that such person is eligible for assistance in voting. Such
 14 person shall be entitled to receive the assistance of two
 15 election officials or some other person of his or her own
 16 choice, other than the person's employer, the agent of the
 17 person's employer, or an officer or agent of the person's
 18 union, without the necessity of executing the "Declaration to
 19 Secure Assistance" prescribed in s. 101.051. Such person shall
 20 notify the supervisor of any change in his or her condition
 21 which makes it unnecessary for him or her to receive
 22 assistance in voting.

23 Section 12. Section 97.071, Florida Statutes, is
 24 amended to read:

25 97.071 Voter information ~~Registration identification~~
 26 card.--

27 (1) A voter information ~~registration identification~~
 28 card shall ~~must~~ be furnished by the supervisor to all
 29 registered voters residing in the supervisor's county. The
 30 card ~~registering under the permanent single registration~~
 31 ~~system and~~ must contain:

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- 1 (a) Voter's registration number.
- 2 (b) Date of registration.
- 3 (c) Full name.
- 4 (d) Party affiliation.
- 5 (e) Date of birth.
- 6 ~~(f) Race or ethnicity, if provided by the applicant.~~
- 7 ~~(g) Sex, if provided by the applicant.~~
- 8 (f)(h) Address of legal residence.
- 9 (g)(i) Precinct number.
- 10 (h)(j) Name of supervisor and contact information of
- 11 supervisor.
- 12 ~~(k) Place for voter's signature.~~
- 13 (i)(l) Other information deemed necessary by the
- 14 supervisor department.
- 15 (2) A voter may receive a replacement voter
- 16 information of a registration identification card by providing
- 17 a signed, written request for a replacement card to a voter
- 18 registration official the supervisor. Upon verification of
- 19 registration, the supervisor shall issue the voter a duplicate
- 20 card without charge.
- 21 (3) In the case of a change of name, address, or party
- 22 affiliation, the supervisor shall ~~must~~ issue the voter a new
- 23 voter information registration identification card. However, a
- 24 voter information registration identification card indicating
- 25 a party affiliation change made between the book-closing date
- 26 for the ~~first~~ primary election and the date of the ~~second~~
- 27 primary election may not be issued until after the ~~second~~
- 28 primary election.

29 Section 13. Section 97.073, Florida Statutes, is
30 amended to read:

31 97.073 Disposition of voter registration applications;

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1 cancellation notice.--

2 (1) The supervisor must notify each applicant of the
3 disposition of the applicant's voter registration application.
4 The notice must inform the applicant that the application has
5 been approved, is incomplete, has been denied, or is a
6 duplicate of a current registration. A voter information
7 ~~registration identification~~ card sent to an applicant
8 constitutes notice of approval of registration. If the
9 application is incomplete, the supervisor must request that
10 the applicant supply the missing information using a voter
11 registration application signed by the applicant in writing
12 ~~and sign a statement that the additional information is true~~
13 ~~and correct~~. A notice of denial must inform the applicant of
14 the reason the application was denied.

15 (2) Within 2 weeks after approval of a voter
16 registration application that indicates that the applicant was
17 previously registered in another state jurisdiction, the
18 department supervisor must notify the registration official in
19 the prior state jurisdiction that the applicant is now
20 registered in this state ~~the supervisor's county~~.

21 Section 14. Section 97.1031, Florida Statutes, is
22 amended to read:

23 97.1031 Notice of change of residence ~~within the same~~
24 ~~county~~, change of name, or change of party affiliation.--

25 (1) When an elector moves from the address named on
26 that person's voter registration record to another address
27 within the same county, the elector must provide notification
28 of such move to the supervisor of elections of that county.
29 The elector may provide the supervisor a signed, written
30 notice or may notify the supervisor by telephone or electronic
31 means. However, notification of such move other than by

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1 signed, written notice must include the elector's date of
 2 birth. An elector may also provide notification to other voter
 3 registration officials as provided in subsection (2). A voter
 4 information registration identification card reflecting the
 5 new information ~~address of legal residence~~ shall be issued to
 6 the elector as provided in subsection ~~(3)(4)~~.

7 (2) When an elector moves from the address named on
 8 that person's voter registration record to another address in
 9 a different county but within the state, the elector seeks to
 10 change party affiliation, or the name of an elector is changed
 11 by marriage or other legal process, the elector shall ~~must~~
 12 provide notice ~~a signed, written notification~~ of such change
 13 to a voter registration official using a voter registration
 14 application signed by the elector. A voter information ~~the~~
 15 ~~supervisor and obtain a registration identification card~~
 16 reflecting the new information shall be issued to the elector
 17 as provided in subsection (3) name.

18 ~~(3) When an elector seeks to change party affiliation,~~
 19 ~~the elector must provide a signed, written notification of~~
 20 ~~such intent to the supervisor and obtain a registration~~
 21 ~~identification card reflecting the new party affiliation,~~
 22 ~~subject to the issuance restriction in s. 97.071(3).~~

23 ~~(3)(4)~~ The voter registration official supervisor
 24 shall make the necessary changes in the elector's records as
 25 soon as practical upon receipt of such notice of a change of
 26 address of legal residence, name, or party affiliation. The
 27 supervisor of elections ~~and~~ shall issue the new voter
 28 information registration identification card ~~as required by s.~~
 29 ~~97.071(3).~~

30 Section 15. Section 97.105, Florida Statutes, is
 31 amended to read:

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1 97.105 Permanent single registration system
 2 established.--A permanent single registration system for the
 3 registration of electors to qualify them to vote in all
 4 elections is provided for the several counties and
 5 municipalities. This system shall be put into use by all
 6 municipalities and shall be in lieu of any other system of
 7 municipal registration. Electors shall be registered pursuant
 8 to in pursuance of this system by a voter registration
 9 official the supervisor or by a deputy supervisor, and
 10 electors registered shall not thereafter be required to
 11 register or reregister except as provided by law.

12 Section 16. Subsections (3), (10), and (11) of section
 13 98.015, Florida Statutes, are amended, and subsection (12) is
 14 added to that section, to read:

15 98.015 Supervisor of elections; election, tenure of
 16 office, compensation, custody of books, office hours,
 17 successor, seal; appointment of deputy supervisors; duties.--

18 (3) The supervisor shall update voter registration
 19 information, enter new voter registrations into the statewide
 20 voter registration system, and act as is the official
 21 custodian of documents received by the supervisor related to
 22 the registration of electors and changes in voter registration
 23 status of electors of the supervisor's county the registration
 24 books and has the exclusive control of matters pertaining to
 25 registration of electors.

26 (10) Each supervisor shall ~~must~~ ensure that all voter
 27 registration and list maintenance procedures conducted by such
 28 supervisor are in compliance with any applicable requirements
 29 prescribed by rule of the department through the statewide
 30 voter registration system or prescribed by for that county
 31 under the Voting Rights Act of 1965, the National Voter

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1 Registration Act of 1993, or the Help America Vote Act of
2 2002.

3 (11) Each supervisor shall ensure that any voter
4 registration system used by the supervisor for administering
5 his or her duties as a voter registration official complies
6 with the specifications and procedures established by rule of
7 the department and the statewide voter registration system
8 ~~Each supervisor of elections shall forward to the property~~
9 ~~appraiser for the county in which the homestead is claimed the~~
10 ~~name of the person and the address of the homestead of each~~
11 ~~person who registers to vote at an address other than that at~~
12 ~~which the person claims a homestead exemption, as disclosed on~~
13 ~~the uniform statewide voter registration application pursuant~~
14 ~~to s. 97.052.~~

15 (12) Each supervisor shall maintain a list of valid
16 residential street addresses for purposes of verifying the
17 legal addresses of voters residing in the supervisor's county.
18 The supervisor shall make all reasonable efforts to coordinate
19 with county 911 service providers, property appraisers, the
20 United States Postal Service, or other agencies as necessary
21 to ensure the continued accuracy of such list. The supervisor
22 shall provide the list of valid residential addresses to the
23 statewide voter registration system in the manner and
24 frequency specified by rule of the department.

25 Section 17. Section 98.035, Florida Statutes, is
26 created to read:

27 98.035 Statewide voter registration system;
28 implementation, operation, and maintenance.--

29 (1) The Secretary of State, as chief election officer
30 of the state, shall be responsible for implementing,
31 operating, and maintaining, in a uniform and nondiscriminatory

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1 manner, a single, uniform, official, centralized, interactive,
2 computerized statewide voter registration system as required
3 by the Help America Vote Act of 2002. The department may adopt
4 rules to administer this section.

5 (2) The statewide voter registration system must
6 contain the name and registration information of every legally
7 registered voter in the state. All voters shall be assigned a
8 unique identifier. The system shall be the official list of
9 registered voters in the state and shall provide secured
10 access by authorized voter registration officials. The system
11 shall enable voter registration officials to provide, access,
12 and update voter registration information.

13 (3) The department may not contract with any other
14 entity for the operation of the statewide voter registration
15 system.

16 (4) The implementation of the statewide voter
17 registration system shall not prevent any supervisor of
18 elections from acquiring, maintaining, or using any hardware
19 or software necessary or desirable to carry out the
20 supervisor's responsibilities related to the use of voter
21 registration information or the conduct of elections, provided
22 that such hardware or software does not conflict with the
23 operation of the statewide voter registration system.

24 (5) The department may adopt rules governing the
25 access, use, and operation of the statewide voter registration
26 system to ensure security, uniformity, and integrity of the
27 system.

28 Section 18. Section 98.045, Florida Statutes, is
29 amended to read:

30 98.045 Administration of voter registration.--

31 (1) ELIGIBILITY OF APPLICANT.--The ~~Each~~ supervisor

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1 must ensure that any eligible applicant for voter registration
 2 is registered to vote and that each application for voter
 3 registration is processed in accordance with law. The
 4 supervisor shall determine whether a voter registration
 5 applicant is ineligible based on any of the following:

6 (a) The failure to complete a voter registration
 7 application as specified in s. 97.053.

8 (b) The applicant is deceased.

9 (c) The applicant has been convicted of a felony for
 10 which his or her civil rights have not been restored.

11 (d) The applicant has been adjudicated mentally
 12 incapacitated with respect to the right to vote and such right
 13 has not been restored.

14 (e) The applicant does not meet the age requirement
 15 pursuant to s. 97.041.

16 (f) The applicant is not a United States citizen.

17 (g) The applicant is a fictitious person.

18 (h) The applicant has provided an address of legal
 19 residence that is not his or her legal residence.

20 (i) The applicant has provided a driver's license
 21 number, Florida identification card number, or the last four
 22 digits of a social security number that is not verifiable by
 23 the department.

24 (2) REMOVAL OF REGISTERED VOTERS.--

25 (a) Once a voter is registered, the name of that voter
 26 may not be removed from the statewide voter registration
 27 system ~~books~~ except at the written request of the voter, by
 28 reason of the voter's conviction of a felony or adjudication
 29 as mentally incapacitated with respect to voting, by death of
 30 the voter, or pursuant to a registration list maintenance
 31 program or other registration list maintenance activity

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1 conducted pursuant to s. 98.065 ~~or~~, s. 98.075, ~~or s. 98.0977.~~

2 **(b)(2)** Information received by a voter registration
3 official supervisor from an election official in another state
4 jurisdiction indicating that a registered voter in this state
5 ~~the supervisor's county~~ has registered to vote in that other
6 state jurisdiction shall be considered as a written request
7 from the voter to have the voter's name removed from the
8 statewide voter registration system ~~books of the supervisor's~~
9 ~~county.~~

10 **(3) PUBLIC RECORDS ACCESS AND**
11 RETENTION. ~~Notwithstanding the provisions of ss. 98.095 and~~
12 ~~98.0977,~~ Each supervisor shall maintain for at least 2 years,
13 and make available for public inspection and copying, all
14 records concerning implementation of registration list
15 maintenance programs and activities conducted pursuant to ss.
16 98.065 ~~and~~, 98.075, ~~and 98.0977.~~ The records must include
17 lists of the name and address of each person to whom a an
18 ~~address confirmation final~~ notice was sent and information as
19 to whether each such person responded to the mailing, but may
20 not include any information that is confidential or exempt
21 from public records requirements under this code.

22 **(4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL**
23 STREET ADDRESSES. ~~--~~

24 **(a)** The department shall compile and maintain a
25 statewide electronic database of valid residential street
26 addresses from the information provided by the supervisors of
27 elections pursuant to s. 98.015. The department shall evaluate
28 the information provided by the supervisors of elections to
29 identify any duplicate addresses and any address that may
30 overlap county boundaries.

31 **(b)** The department shall make the statewide database

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1 of valid street addresses available to the Department of
 2 Highway Safety and Motor Vehicles as provided in s.
 3 97.057(10). The Department of Highway Safety and Motor
 4 Vehicles shall use the database for purposes of validating the
 5 legal residential addresses provided in voter registration
 6 applications received by the Department of Highway Safety and
 7 Motor Vehicles.

8 (5) FORMS.--The department may prescribe by rule forms
 9 necessary to conduct maintenance of records in the statewide
 10 voter registration system.

11 Section 19. Section 98.065, Florida Statutes, as
 12 amended by chapter 2002-281, Laws of Florida, is amended to
 13 read:

14 98.065 Registration list maintenance programs.--

15 (1) The supervisor must conduct a general registration
 16 list maintenance program to protect the integrity of the
 17 electoral process by ensuring the maintenance of accurate and
 18 current voter registration records in the statewide voter
 19 registration system. The program must be uniform,
 20 nondiscriminatory, and in compliance with the Voting Rights
 21 Act of 1965, the National Voter Registration Act of 1993, and
 22 the Help America Vote Act of 2002. As used in this subsection,
 23 the term "nondiscriminatory" applies to and includes persons
 24 with disabilities.

25 (2) A supervisor must incorporate one or more of the
 26 following procedures in the supervisor's biennial registration
 27 list maintenance program under which:

28 (a) Change-of-address information supplied by the
 29 United States Postal Service through its licensees is used to
 30 identify registered voters whose addresses might have changed;

31 (b) Change-of-address information is identified from

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1 returned nonforwardable return-if-undeliverable mail sent to
2 all registered voters in the county; or

3 (c) Change-of-address information is identified from
4 returned nonforwardable return-if-undeliverable address
5 confirmation requests mailed to all registered voters who have
6 not voted in the last 2 years and who did not make a written
7 request that their registration records be updated during that
8 time.

9 (3) A registration list maintenance program must be
10 conducted by each supervisor, at a minimum, in each
11 odd-numbered year and must be completed not later than 90 days
12 prior to the date of any federal election. All list
13 maintenance actions associated with each voter must be
14 entered, tracked, and maintained in the statewide voter
15 registration system.

16 (4)(a) If the supervisor receives change-of-address
17 information pursuant to the activities conducted in subsection
18 (2), from jury notices signed by the voter and returned to the
19 courts, from the Department of Highway Safety and Motor
20 Vehicles, or from other sources, which information indicates
21 that the legal address of a registered voter might have
22 changed, the supervisor shall send by forwardable
23 return-if-undeliverable mail an address confirmation notice to
24 the address at which the voter was last registered. A
25 supervisor may also send an address confirmation notice to any
26 voter who the supervisor has reason to believe has moved from
27 his or her legal residence.

28 (b) The address confirmation notice shall contain a
29 postage prepaid preaddressed return form on which:

30 1. If the voter has changed his or her address of
31 legal residence to a location outside the state, the voter

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1 shall mark that the voter's legal residence has changed to a
2 location outside the state. The form shall also include
3 information on how to register in the new state in order to be
4 eligible to vote. The form must be returned within 30 days
5 after the date of the notice. The completed form shall
6 constitute a request to be removed from the statewide voter
7 registration system.

8 2. If the voter has changed his or her address of
9 legal residence to a location inside the state, the voter
10 shall set forth the updated or corrected address and submit
11 the return form within 30 days after the date of the notice.
12 The completed form shall constitute a request to update the
13 statewide voter registration system with the updated or
14 corrected address information.

15 3. If the voter has not changed his or her address of
16 legal residence as printed on the address confirmation notice,
17 the voter shall confirm that his or her address of legal
18 residence has not changed and submit the form within 30 days
19 after the date of the notice.

20 (c) The supervisor must designate as inactive all
21 voters who have been sent an address confirmation notice and
22 who have not returned the postage prepaid preaddressed return
23 form within 30 days or for which an address confirmation
24 notice has been returned as undeliverable. Names on the
25 inactive list may not be used to calculate the number of
26 signatures needed on any petition. A voter on the inactive
27 list may be restored to the active list of voters upon the
28 voter updating his or her registration, requesting an absentee
29 ballot, or appearing to vote. However, if the voter does not
30 update his or her voter registration information, request an
31 absentee ballot, or vote by the second general election after

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1 being placed on the inactive list, the voter's name shall be
2 removed from the statewide voter registration system and the
3 voter shall be required to reregister to have his or her name
4 restored to the statewide voter registration system.

5 (5) A notice may not be issued pursuant to this
6 section and a voter's name may not be removed from the
7 statewide voter registration system later than 90 days prior
8 to the date of a federal election. However, this section does
9 not preclude the removal of the name of a voter from the
10 statewide voter registration system at any time upon the
11 voter's written request, by reason of the voter's death, or
12 upon a determination of the voter's ineligibility as provided
13 in s. 98.075(7).

14 (6)(a) No later than July 31 and January 31 of each
15 year, the supervisor must certify to the department the list
16 maintenance activities conducted during the first 6 months and
17 the second 6 months of the year, respectively, including the
18 number of address confirmation requests sent, the number of
19 voters designated as inactive, and the number of voters
20 removed from the statewide voter registration system.

21 (b) If, based on the certification provided pursuant
22 to paragraph (a), the department determines that a supervisor
23 has not conducted the list maintenance activities required by
24 this section, the department shall conduct the appropriate
25 list maintenance activities for that county. Failure to
26 conduct list maintenance activities as required in this
27 section constitutes a violation of s. 104.051. A voter's name
28 may not be removed from the registration books later than 90
29 days prior to the date of a federal election. However, nothing
30 in this section shall preclude the removal of the name of a
31 voter from the voter registration books, at any time and

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1 ~~without prior notification, upon the written request of the~~
 2 ~~voter, by reason of conviction of the voter of a felony, by~~
 3 ~~reason of adjudication of the voter as mentally incapacitated~~
 4 ~~with respect to voting, by reason of the death of the voter,~~
 5 ~~or upon a determination of ineligibility as provided in s.~~
 6 ~~98.075(3).~~

7 ~~(4) If the supervisor receives change of address~~
 8 ~~information from the United States Postal Service or its~~
 9 ~~licensees or from jury notices signed by the voter and~~
 10 ~~returned to the courts, which indicates that:~~

11 ~~(a) The voter has moved within the supervisor's~~
 12 ~~county, the supervisor must change the registration records to~~
 13 ~~show the new address and must send the voter a notice of the~~
 14 ~~change by forwardable mail, including a postage prepaid~~
 15 ~~preaddressed return form with which the voter may verify or~~
 16 ~~correct the address information.~~

17 ~~(b) The voter has moved outside the supervisor's~~
 18 ~~county, or contains no forwarding address, the supervisor~~
 19 ~~shall send an address confirmation final notice and remove the~~
 20 ~~name of the voter from the registration record if that voter~~
 21 ~~did not:~~

- 22 1. ~~Return the postage prepaid preaddressed return~~
- 23 ~~form;~~
- 24 2. ~~Appear to vote;~~
- 25 3. ~~Change the voter's registration; or~~
- 26 4. ~~Request an absentee ballot~~

27
 28 ~~during the period beginning on the date when the address~~
 29 ~~confirmation final notice was sent and ending on the day after~~
 30 ~~the date of the second general election thereafter.~~

31 ~~(5) The supervisor must designate as inactive all~~

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1 ~~voters who have been sent an address confirmation final notice~~
 2 ~~and who have not returned the postage prepaid preaddressed~~
 3 ~~return form within 30 days. A voter on the inactive list must~~
 4 ~~be allowed to vote and to change the voter's name or address~~
 5 ~~of legal residence at the polls pursuant to s. 101.045. Names~~
 6 ~~on the inactive list may not be used to calculate the number~~
 7 ~~of signatures needed on any petition or the quantity of voting~~
 8 ~~equipment needed.~~

9 Section 20. Section 98.075, Florida Statutes, is
 10 amended to read:

11 (Substantial rewording of section. See
 12 s. 98.075, F.S., for present text.)

13 98.075 Registration records maintenance activities;
 14 ineligibility determinations.--

15 (1) MAINTENANCE OF RECORDS.--The department shall
 16 protect the integrity of the electoral process by ensuring the
 17 maintenance of accurate and current voter registration
 18 records. List maintenance activities must be uniform,
 19 nondiscriminatory, and in compliance with the Voting Rights
 20 Act of 1965, the National Voter Registration Act of 1993, and
 21 the Help America Vote Act of 2002. The department may adopt by
 22 rule uniform standards and procedures to interpret and
 23 administer this section.

24 (2) DUPLICATE REGISTRATION.--The department shall
 25 identify those voters who are registered more than once or
 26 those applicants whose registration applications would result
 27 in duplicate registrations. The most recent application shall
 28 be deemed an update to the voter registration record.

29 (3) DECEASED PERSONS.--The department shall identify
 30 those registered voters who are deceased by comparing
 31 information on the lists of deceased persons received from the

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1 Department of Health as provided in s. 98.093. Upon receipt of
2 such information through the statewide voter registration
3 system, the supervisor shall remove the name of the registered
4 voter.

5 (4) ADJUDICATION OF MENTAL INCAPACITY.--The department
6 shall identify those registered voters who have been
7 adjudicated mentally incapacitated with respect to voting and
8 who have not had their voting rights restored by comparing
9 information received from the clerk of the circuit court as
10 provided in s. 98.093. The department shall review such
11 information and make an initial determination as to whether
12 the information is credible and reliable. If the department
13 determines that the information is credible and reliable, the
14 department shall notify the supervisor and provide a copy of
15 the supporting documentation indicating the potential
16 ineligibility of the voter to be registered. Upon receipt of
17 the notice that the department has made a determination of
18 initial credibility and reliability, the supervisor shall
19 adhere to the procedures set forth in subsection (7) prior to
20 the removal of a registered voter from the statewide voter
21 registration system.

22 (5) FELONY CONVICTION.--The department shall identify
23 those registered voters who have been convicted of a felony
24 and whose rights have not been restored by comparing
25 information received from, but not limited to, a clerk of the
26 circuit court, the Board of Executive Clemency, the Department
27 of Corrections, the Department of Law Enforcement, or a United
28 States Attorney's Office, as provided in s. 98.093. The
29 department shall review such information and make an initial
30 determination as to whether the information is credible and
31 reliable. If the department determines that the information is

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1 credible and reliable, the department shall notify the
 2 supervisor and provide a copy of the supporting documentation
 3 indicating the potential ineligibility of the voter to be
 4 registered. Upon receipt of the notice that the department has
 5 made a determination of initial credibility and reliability,
 6 the supervisor shall adhere to the procedures set forth in
 7 subsection (7) prior to the removal of a registered voter's
 8 name from the statewide voter registration system.

9 (6) OTHER BASES FOR INELIGIBILITY.--If the department
 10 or supervisor receives information other than from the sources
 11 identified in subsections (2)-(5) that a registered voter does
 12 not meet the age requirement pursuant to s. 97.041, is not a
 13 United States citizen, is a fictitious person, or has listed a
 14 residence that is not his or her legal residence, the
 15 supervisor shall adhere to the procedures set forth in
 16 subsection (7) prior to the removal of a registered voter's
 17 name from the statewide voter registration system.

18 (7) PROCEDURES FOR REMOVAL.--

19 (a) If the supervisor receives notice or information
 20 pursuant to subsections (4)-(6), the supervisor of the county
 21 in which the voter is registered shall:

22 1. Notify the registered voter of his or her potential
 23 ineligibility by mail within 7 days after receipt of notice or
 24 information. The notice shall include:

25 a. A statement of the basis for the registered voter's
 26 potential ineligibility and a copy of any documentation upon
 27 which the potential ineligibility is based.

28 b. A statement that failure to respond within 30 days
 29 after receipt of the notice may result in a determination of
 30 ineligibility and in removal of the registered voter's name
 31 from the statewide voter registration system.

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1 c. A return form that requires the registered voter to
2 admit or deny the accuracy of the information underlying the
3 potential ineligibility for purposes of a final determination
4 by the supervisor.

5 d. A statement that, if the voter is denying the
6 accuracy of the information underlying the potential
7 ineligibility, the voter has a right to request a hearing for
8 the purpose of determining eligibility.

9 e. Instructions for the registered voter to contact
10 the supervisor of elections of the county in which the voter
11 is registered if assistance is needed in resolving the matter.

12 f. Instructions for seeking restoration of civil
13 rights following a felony conviction, if applicable.

14 2. If the mailed notice is returned as undeliverable,
15 the supervisor shall publish notice once in a newspaper of
16 general circulation in the county in which the voter was last
17 registered. The notice shall contain the following:

18 a. The voter's name and address.

19 b. A statement that the voter is potentially
20 ineligible to be registered to vote.

21 c. A statement that failure to respond within 30 days
22 after the notice is published may result in a determination of
23 ineligibility by the supervisor and removal of the registered
24 voter's name from the statewide voter registration system.

25 d. An instruction for the voter to contact the
26 supervisor no later than 30 days after the date of the
27 published notice to receive information regarding the basis
28 for the potential ineligibility and the procedure to resolve
29 the matter.

30 e. An instruction to the voter that, if further
31 assistance is needed, the voter should contact the supervisor

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1 of elections of the county in which the voter is registered.

2 3. If a registered voter fails to respond to a notice
3 pursuant to subparagraph 1. or subparagraph 2., the supervisor
4 shall make a final determination of the voter's eligibility.
5 If the supervisor determines that the voter is ineligible, the
6 supervisor shall remove the name of the registered voter from
7 the statewide voter registration system. The supervisor shall
8 notify the registered voter of the supervisor's determination
9 and action.

10 4. If a registered voter responds to the notice
11 pursuant to subparagraph 1. or subparagraph 2. and admits the
12 accuracy of the information underlying the potential
13 ineligibility, the supervisor shall make a final determination
14 of ineligibility and shall remove the voter's name from the
15 statewide voter registration system. The supervisor shall
16 notify the registered voter of the supervisor's determination
17 and action.

18 5. If a registered voter responds to the notice issued
19 pursuant to subparagraph 1. or subparagraph 2. and denies the
20 accuracy of the information underlying the potential
21 ineligibility but does not request a hearing, the supervisor
22 shall review the evidence and make a final determination of
23 eligibility. If such registered voter requests a hearing, the
24 supervisor shall send notice to the registered voter to attend
25 a hearing at a time and place specified in the notice. Upon
26 hearing all evidence presented at the hearing, the supervisor
27 shall make a determination of eligibility. If the supervisor
28 determines that the registered voter is ineligible, the
29 supervisor shall remove the voter's name from the statewide
30 voter registration system and notify the registered voter of
31 the supervisor's determination and action.

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1 (b) The following shall apply to this subsection:

2 1. All determinations of eligibility shall be based on
3 a preponderance of the evidence.

4 2. All proceedings are exempt from the provisions of
5 chapter 120.

6 3. Any notice shall be sent to the registered voter by
7 certified mail, return receipt requested, or other means that
8 provides a verification of receipt or shall be published in a
9 newspaper of general circulation where the voter was last
10 registered, whichever is applicable.

11 4. The supervisor shall remove the name of any
12 registered voter from the statewide voter registration system
13 only after the supervisor makes a final determination that the
14 voter is ineligible to vote.

15 5. Any voter whose name has been removed from the
16 statewide voter registration system pursuant to a
17 determination of ineligibility may appeal that determination
18 under the provisions of s. 98.0755.

19 6. Any voter whose name was removed from the statewide
20 voter registration system on the basis of a determination of
21 ineligibility who subsequently becomes eligible to vote must
22 reregister in order to have his or her name restored to the
23 statewide voter registration system.

24 (8) CERTIFICATION.--

25 (a) No later than July 31 and January 31 of each year,
26 the supervisor shall certify to the department the activities
27 conducted pursuant to this section during the first 6 months
28 and the second 6 months of the year, respectively. The
29 certification shall include the number of persons to whom
30 notices were sent pursuant to subsection (7), the number of
31 persons who responded to the notices, the number of notices

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1 returned as undeliverable, the number of notices published in
 2 the newspaper, the number of hearings conducted, and the
 3 number of persons removed from the statewide voter
 4 registration systems and the reasons for such removals.

5 (b) If, based on the certification provided pursuant
 6 to paragraph (a), the department determines that a supervisor
 7 has not satisfied the requirements of this section, the
 8 department shall satisfy the appropriate requirements for that
 9 county. Failure to satisfy the requirements of this section
 10 shall constitute a violation of s. 104.051.

11 Section 21. Section 98.0755, Florida Statutes, is
 12 created to read:

13 98.0755 Appeal of determination of
 14 ineligibility.--Appeal of the supervisor's determination of
 15 ineligibility pursuant to s. 98.075(7) may be taken to the
 16 circuit court in and for the county where the person was
 17 registered. Notice of appeal must be filed within the time and
 18 in the manner provided by the Florida Rules of Appellate
 19 Procedure and acts as supersedeas. Trial in the circuit court
 20 is de novo and governed by the rules of that court. Unless the
 21 person can show that his or her name was erroneously or
 22 illegally removed from the statewide voter registration
 23 system, or that he or she is indigent, the person must bear
 24 the costs of the trial in the circuit court. Otherwise, the
 25 cost of the appeal must be paid by the supervisor of
 26 elections.

27 Section 22. Section 98.077, Florida Statutes, is
 28 amended to read:

29 98.077 Update of voter signature.--

30 (1) A registered voter may update his or her signature
 31 on file in the statewide voter registration system at any time

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1 using a voter registration application submitted to a voter
2 registration official.

3 (2) The department and supervisors ~~supervisor~~ of
4 elections shall include in any correspondence, other than
5 postcard notifications and notices relating to eligibility,
6 sent to a ~~provide to each~~ registered voter information
7 regarding ~~of the county the opportunity to update his or her~~
8 ~~signature on file at the supervisor's office by providing~~
9 ~~notification of the ability to do so in any correspondence,~~
10 ~~other than postcard notifications, sent to the voter. The~~
11 ~~notice shall advise~~ when, where, and how to update the voter's
12 signature and shall provide the voter information on how to
13 obtain a voter registration application form from a voter
14 registration official which ~~the supervisor that~~ can be
15 returned to update the signature.

16 (3) ~~In addition,~~ At least once during each general
17 election year, the supervisor shall publish in a newspaper of
18 general circulation or other newspaper in the county deemed
19 appropriate by the supervisor a notice specifying when, where,
20 or how a voter can update his or her signature that is on file
21 and ~~or~~ how a voter can obtain a voter registration application
22 form from a voter registration official ~~the supervisor~~ to do
23 so.

24 (4) All signature updates for use in verifying
25 absentee and provisional ballots must be received by the
26 appropriate supervisor of elections no later than the start of
27 the canvassing of absentee ballots by the canvassing board.
28 The signature on file at the start of the canvass of the
29 absentees is the signature that shall be used in verifying the
30 signature on the absentee and provisional ballot certificates.

31 Section 23. Section 98.081, Florida Statutes, is

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1 amended to read:

2 98.081 Names removed from the statewide voter
 3 registration system books; restrictions on reregistering;
 4 recordkeeping; restoration of erroneously or illegally removed
 5 names.--

6 (1) Any person who requested that his or her name be
 7 removed from the statewide voter registration system books
 8 between the book-closing date of the ~~first~~ primary and the
 9 date of the ~~second~~ primary may not register in a different
 10 political party until after the date of the ~~second~~ primary
 11 election.

12 (2) When the name of any elector is removed from the
 13 statewide voter registration system books pursuant to s.
 14 98.065 ~~or~~, s. 98.075, ~~or s. 98.093~~, the elector's original
 15 registration application form shall be retained by the
 16 supervisor of elections having custody of the application
 17 ~~filed alphabetically in the office of the supervisor~~. As
 18 alternatives, registrations removed from the statewide voter
 19 registration system books may be microfilmed and such
 20 microfilms substituted for the original registration
 21 applications forms; or, when voter registration information,
 22 including the voter's signature, is maintained digitally or on
 23 electronic, magnetic, or optic media, such stored information
 24 may be substituted for the original registration application
 25 form. Such microfilms or stored information shall be retained
 26 by the supervisor of elections having in the custody of the
 27 ~~supervisor~~. In the event the original registration
 28 applications forms are microfilmed or maintained digitally or
 29 on electronic or other media, such originals may be destroyed
 30 in accordance with the schedule approved by the Bureau of

31 Archives and Records Management of the Division of Library and

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1 Information Services of the department.

2 (3) When the name of any elector has been erroneously
3 or illegally removed from the statewide voter registration
4 system books, the name of the elector shall be restored by a
5 voter registration official ~~the supervisor~~ upon satisfactory
6 proof, even though the registration period for that election
7 is closed.

8 Section 24. Section 98.093, Florida Statutes, is
9 amended to read:

10 98.093 Duty of officials to furnish lists of deceased
11 persons, persons adjudicated mentally incapacitated, and
12 persons convicted of a felony.--

13 (1) In order to ensure the maintenance of accurate and
14 current voter registration records, it is necessary for the
15 department to receive certain information from state and
16 federal officials and entities. The department and supervisors
17 of elections shall use the information provided from the
18 sources in subsection (2) to maintain the voter registration
19 records.

20 (2) To the maximum extent feasible, state and local
21 government agencies shall facilitate provision of information
22 and access to data to the department, including, but not
23 limited to, databases that contain reliable criminal records
24 and records of deceased persons. State and local government
25 agencies that provide such data shall do so without charge if
26 the direct cost incurred by those agencies is not significant.

27 (a) The Department of Health shall furnish monthly to
28 the department ~~each supervisor of elections~~ a list containing
29 the name, address, date of birth, date of death, social
30 security number, race, and sex of each deceased person 17
31 years of age or older ~~who was a resident of such supervisor's~~

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1 ~~county.~~

2 ~~(b)(2)~~ Each clerk of the circuit court shall furnish
3 monthly to the department, at least once each month, deliver
4 to each supervisor of elections a list of those persons who
5 have been adjudicated mentally incapacitated with respect to
6 voting during the preceding calendar month, a list of those
7 persons whose mental capacity with respect to voting has been
8 restored during the preceding calendar month, and a list of
9 those persons who have returned signed jury notices during the
10 preceding months to the clerk of the circuit court indicating
11 a change of address. Each list shall include stating the name,
12 address, date of birth, race, and sex, and, whichever is
13 available, the Florida driver's license number, Florida
14 identification card number, or social security number of each
15 such person convicted of a felony during the preceding
16 calendar month who was a resident of that supervisor's county,
17 a list stating the name, address, date of birth, race, and sex
18 of each person adjudicated mentally incapacitated with respect
19 to voting during the preceding calendar month who was a
20 resident of that supervisor's county, and a list stating the
21 name, address, date of birth, race, and sex of each person
22 whose mental capacity with respect to voting has been restored
23 who was a resident of that supervisor's county.

24 ~~(c)(3)~~ Upon receipt of information from the United
25 States Attorney, listing persons convicted of a felony in
26 federal court, the department shall use such information to
27 identify registered voters or applicants for voter
28 registration who may be potentially ineligible based on
29 information provided in accordance with s. 98.075 immediately
30 forward such information to the supervisor of elections for
31 the county where the offender resides.

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1 (d) The Department of Law Enforcement shall identify
 2 those persons who have been convicted of a felony who appear
 3 in the voter registration records supplied by the statewide
 4 voter registration system, in a time and manner that enables
 5 the department to meet its obligations under state and federal
 6 law.

7 (e) The Board of Executive Clemency shall furnish
 8 monthly to the department a list of those persons granted
 9 clemency in the preceding month or any updates to prior
 10 records which have occurred in the preceding month. The list
 11 shall contain the Board of Executive Clemency case number,
 12 name, address, date of birth, race, sex, social security
 13 number, if available, and references to record identifiers
 14 assigned by the Department of Corrections, a unique identifier
 15 of each clemency case, and the effective date of clemency of
 16 each person.

17 (f) The Department of Corrections shall furnish
 18 monthly to the department a list of those persons transferred
 19 to the Department of Corrections in the preceding month or any
 20 updates to prior records which have occurred in the preceding
 21 month. The list shall contain the name, address, date of
 22 birth, race, sex, social security number, Department of
 23 Corrections record identification number, and associated
 24 Department of Law Enforcement felony conviction record number
 25 of each person.

26 (g) The Department of Highway Safety and Motor
 27 Vehicles shall furnish monthly to the department a list of
 28 those persons whose names have been removed from the driver's
 29 license database because they have been licensed in another
 30 state. The list shall contain the name, address, date of
 31 birth, sex, social security number, and driver's license

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1 number of each such person.

2 ~~(4) Upon receipt of any such list, the supervisor~~
3 ~~shall remove from the registration books the name of any~~
4 ~~person listed who is deceased, convicted of a felony, or~~
5 ~~adjudicated mentally incapacitated with respect to voting. A~~
6 ~~person who has had his or her mental capacity with respect to~~
7 ~~voting restored or who has had his or her right to vote~~
8 ~~restored after conviction of a felony shall be required to~~
9 ~~reregister to have his or her name restored to the~~
10 ~~registration books.~~

11 ~~(3)(5)~~ Nothing in this section shall limit or restrict
12 the supervisor in his or her duty to remove the names of ~~such~~
13 persons from the statewide voter registration system pursuant
14 to s. 98.075(7) based upon books after verification of
15 information received from other sources.

16 Section 25. Effective August 1, 2006, section 98.0981,
17 Florida Statutes, is created to read:

18 98.0981 Statewide voter registration database.--Within
19 75 days after a general election or within 15 days after all
20 supervisors of elections have updated voter history
21 information, whichever occurs later, the department shall send
22 to the President of the Senate, the Speaker of the House of
23 Representatives, the Senate Minority Leader, and the House
24 Minority Leader a report in electronic format of all voters
25 qualified to vote in the election or primary. The report shall
26 include for each voter the code used by the department to
27 uniquely identify the voter; all information provided in the
28 uniform statewide voter registration application pursuant to
29 s. 97.052(2), except what is specifically identified as
30 confidential or exempt from public-records requirements; the
31 date of registration; the representative district, senatorial

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1 district, congressional district, and precinct in which the
 2 voter resides; and whether the voter voted at the precinct
 3 location, voted by early vote, voted by absentee ballot,
 4 attempted to vote by absentee ballot that was not counted,
 5 attempted to vote by provisional ballot that was not counted,
 6 or did not vote.

7 Section 26. Section 98.212, Florida Statutes, is
 8 amended to read:

9 98.212 Department and supervisors to furnish
 10 statistical and other information.--

11 (1)(a) Upon written request, the department and any
 12 supervisor of the respective counties ~~supervisors~~ shall, as
 13 promptly as possible, furnish to recognized public or private
 14 universities and senior colleges within the state, to state or
 15 county governmental agencies, and to recognized political
 16 party committees statistical information for the purpose of
 17 analyzing election returns and results.

18 (b) The department and any supervisor ~~Supervisors~~ may
 19 require reimbursement for any part or all of the actual
 20 expenses of supplying any information requested under
 21 paragraph (a). For the purposes of this subsection, the
 22 department and supervisors may use the services of any
 23 research and statistical personnel that may be supplied.

24 (c) Lists of names submitted to the department and any
 25 supervisor of the respective counties ~~supervisors~~ for
 26 indication of registration or nonregistration or of party
 27 affiliation shall be processed at any time at cost, except
 28 that in no case shall the charge exceed 10 cents for each name
 29 on which the information is furnished.

30 (2) The supervisors shall provide information as
 31 requested by the department for program evaluation and

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1 reporting to the ~~Federal~~ Election Assistance Commission
2 pursuant to federal law ~~the National Voter Registration Act of~~
3 ~~1993~~.

4 Section 27. Section 98.461, Florida Statutes, is
5 amended to read:

6 98.461 Registration application form, precinct
7 register; contents.--

8 (1) A registration application form, approved by the
9 Department of State, containing the information required in s.
10 97.052 shall be retained by the supervisor of elections of the
11 county of the applicant's registration ~~filed alphabetically in~~
12 ~~the office of the supervisor as the master list of electors of~~
13 ~~the county~~. However, the registration application forms may be
14 microfilmed and such microfilm ~~microfilms~~ substituted for the
15 original registration application forms; or, when voter
16 registration information, including the voter's signature, is
17 maintained digitally or on electronic, magnetic, or optic
18 media, such stored information may be substituted for the
19 original registration application form. Such microfilms or
20 stored information shall be retained in the custody of the
21 supervisor of elections of the county of the applicant's
22 registration. In the event the original registration
23 applications ~~forms~~ are microfilmed or maintained digitally or
24 on electronic or other media, such originals may be destroyed
25 in accordance with the schedule approved by the Bureau of
26 Archives and Records Management of the Division of Library and
27 Information Services of the Department of State. ~~As an~~
28 ~~alternative, the information from the registration form,~~
29 ~~including the signature, may be electronically reproduced and~~
30 ~~stored as provided in s. 98.451.~~

31 (2) A computer printout or electronic database shall

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1 be used at the polls as a precinct register ~~in lieu of the~~
 2 ~~registration books~~. The precinct register shall contain the
 3 date of the election, the precinct number, and the following
 4 information concerning each registered elector: last name,
 5 first name, ~~and~~ middle name or initial, and suffix; party
 6 affiliation; residence address; registration number; date of
 7 birth; sex, if provided; race, if provided; whether the voter
 8 needs assistance in voting; and such other additional
 9 information as to readily identify the elector. The precinct
 10 register shall also contain a space for the elector's
 11 signature and a space for the initials of the witnessing clerk
 12 or inspector or an electronic device may be provided for this
 13 purpose.

14 Section 28. Effective January 1, 2007, section
 15 100.371, Florida Statutes, as amended by section 9 of chapter
 16 2002-281, Laws of Florida, is amended to read:

17 100.371 Initiatives; procedure for placement on
 18 ballot.--

19 (1) Constitutional amendments proposed by initiative
 20 shall be placed on the ballot for the general election
 21 provided the initiative has been filed with ~~occurring in~~
 22 ~~excess of 90 days from the certification of ballot position by~~
 23 ~~the Secretary of State~~ no later than February 1 of the year
 24 the general election is held. A petition shall be deemed to be
 25 filed with the Secretary of State upon the date the secretary
 26 determines that the petition has been signed by the
 27 constitutionally required number of electors.

28 ~~(2) Such certification shall be issued when the~~
 29 ~~Secretary of State has received verification certificates from~~
 30 ~~the supervisors of elections indicating that the requisite~~
 31 ~~number and distribution of valid signatures of electors have~~

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1 ~~been submitted to and verified by the supervisors. Every~~
 2 ~~signature shall be dated when made and shall be valid for a~~
 3 ~~period of 4 years following such date, provided all other~~
 4 ~~requirements of law are complied with.~~

5 ~~(2)(3)~~ The sponsor of an initiative amendment shall,
 6 prior to obtaining any signatures, register as a political
 7 committee pursuant to s. 106.03 and submit the text of the
 8 proposed amendment to the Secretary of State, with the form on
 9 which the signatures will be affixed, and shall obtain the
 10 approval of the Secretary of State of such form. The Secretary
 11 of State shall adopt rules pursuant to s. 120.54 prescribing
 12 the style and requirements of such form. Upon filing with the
 13 Secretary of State, the text of the proposed amendment and all
 14 forms filed in connection with this section must, upon
 15 request, be made available in alternative formats.

16 ~~(3)(4)~~ Each signature shall be dated when made and
 17 shall be valid for a period of 4 years following such date,
 18 provided all other requirements of law are met. The sponsor
 19 shall submit signed and dated forms to the appropriate
 20 supervisor of elections for verification as to the number of
 21 registered electors whose valid signatures appear thereon. The
 22 supervisor shall promptly verify the signatures upon payment
 23 of the fee required by s. 99.097. The supervisor shall
 24 promptly record each valid signature in the statewide voter
 25 registration system in the manner prescribed by the Secretary
 26 of State. Upon completion of verification, the supervisor
 27 shall execute a certificate indicating the total number of
 28 signatures checked, the number of signatures verified as valid
 29 and as being of registered electors, and the distribution by
 30 congressional district. This certificate shall be immediately
 31 transmitted to the Secretary of State. The supervisor shall

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1 retain the signature forms for at least 1 year following the
 2 election in which the issue appeared on the ballot or until
 3 the Division of Elections notifies the supervisors of
 4 elections that the committee which circulated the petition is
 5 no longer seeking to obtain ballot position.

6 ~~(4)(5)~~ The Secretary of State shall determine from the
 7 signatures verified by the ~~verification certificates received~~
 8 ~~from supervisors of elections~~ and recorded in the statewide
 9 voter registration system the total number of verified valid
 10 signatures and the distribution of such signatures by
 11 congressional districts. Upon a determination that the
 12 requisite number and distribution of valid signatures have
 13 been obtained, the secretary shall issue a certificate of
 14 ballot position for that proposed amendment and shall assign a
 15 designating number pursuant to s. 101.161. ~~A petition shall be~~
 16 ~~deemed to be filed with the Secretary of State upon the date~~
 17 ~~of the receipt by the secretary of a certificate or~~
 18 ~~certificates from supervisors of elections indicating the~~
 19 ~~petition has been signed by the constitutionally required~~
 20 ~~number of electors.~~

21 ~~(5)(6)(a)~~ Within 45 days after receipt of a proposed
 22 revision or amendment to the State Constitution by initiative
 23 petition from the Secretary of State ~~or, within 30 days after~~
 24 ~~such receipt if receipt occurs 120 days or less before the~~
 25 ~~election at which the question of ratifying the amendment will~~
 26 ~~be presented~~, the Financial Impact Estimating Conference shall
 27 complete an analysis and financial impact statement to be
 28 placed on the ballot of the estimated increase or decrease in
 29 any revenues or costs to state or local governments resulting
 30 from the proposed initiative. The Financial Impact Estimating
 31 Conference shall submit the financial impact statement to the

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1 Attorney General and Secretary of State.

2 (b)1. The Financial Impact Estimating Conference shall
3 provide an opportunity for any proponents or opponents of the
4 initiative to submit information and may solicit information
5 or analysis from any other entities or agencies, including the
6 Office of Economic and Demographic Research. All meetings of
7 the Financial Impact Estimating Conference shall be open to
8 the public as provided in chapter 286.

9 2. The Financial Impact Estimating Conference is
10 established to review, analyze, and estimate the financial
11 impact of amendments to or revisions of the State Constitution
12 proposed by initiative. The Financial Impact Estimating
13 Conference shall consist of four principals: one person from
14 the Executive Office of the Governor; the coordinator of the
15 Office of Economic and Demographic Research, or his or her
16 designee; one person from the professional staff of the
17 Senate; and one person from the professional staff of the
18 House of Representatives. Each principal shall have
19 appropriate fiscal expertise in the subject matter of the
20 initiative. A Financial Impact Estimating Conference may be
21 appointed for each initiative.

22 3. Principals of the Financial Impact Estimating
23 Conference shall reach a consensus or majority concurrence on
24 a clear and unambiguous financial impact statement, no more
25 than 75 words in length, and immediately submit the statement
26 to the Attorney General. Nothing in this subsection prohibits
27 the Financial Impact Estimating Conference from setting forth
28 a range of potential impacts in the financial impact
29 statement. Any financial impact statement that a court finds
30 not to be in accordance with this section shall be remanded
31 solely to the Financial Impact Estimating Conference for

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1 redrafting. The Financial Impact Estimating Conference shall
2 redraft the financial impact statement within 15 days.

3 4. If the members of the Financial Impact Estimating
4 Conference are unable to agree on the statement required by
5 this subsection, or if the Supreme Court has rejected the
6 initial submission by the Financial Impact Estimating
7 Conference and no redraft has been approved by the Supreme
8 Court by 5 p.m. on the 75th day before the election, the
9 following statement shall appear on the ballot pursuant to s.
10 101.161(1): "The financial impact of this measure, if any,
11 cannot be reasonably determined at this time."

12 (c) The financial impact statement must be separately
13 contained and be set forth after the ballot summary as
14 required in s. 101.161(1).

15 (d)1. Any financial impact statement that the Supreme
16 Court finds not to be in accordance with this subsection shall
17 be remanded solely to the Financial Impact Estimating
18 Conference for redrafting, provided the court's advisory
19 opinion is rendered at least 75 days before the election at
20 which the question of ratifying the amendment will be
21 presented. The Financial Impact Estimating Conference shall
22 prepare and adopt a revised financial impact statement no
23 later than 5 p.m. on the 15th day after the date of the
24 court's opinion.

25 2. If, by 5 p.m. on the 75th day before the election,
26 the Supreme Court has not issued an advisory opinion on the
27 initial financial impact statement prepared by the Financial
28 Impact Estimating Conference for an initiative amendment that
29 otherwise meets the legal requirements for ballot placement,
30 the financial impact statement shall be deemed approved for
31 placement on the ballot.

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1 3. In addition to the financial impact statement
2 required by this subsection, the Financial Impact Estimating
3 Conference shall draft an initiative financial information
4 statement. The initiative financial information statement
5 should describe in greater detail than the financial impact
6 statement any projected increase or decrease in revenues or
7 costs that the state or local governments would likely
8 experience if the ballot measure were approved. If
9 appropriate, the initiative financial information statement
10 may include both estimated dollar amounts and a description
11 placing the estimated dollar amounts into context. The
12 initiative financial information statement must include both a
13 summary of not more than 500 words and additional detailed
14 information that includes the assumptions that were made to
15 develop the financial impacts, workpapers, and any other
16 information deemed relevant by the Financial Impact Estimating
17 Conference.

18 4. The Department of State shall have printed, and
19 shall furnish to each supervisor of elections, a copy of the
20 summary from the initiative financial information statements.
21 The supervisors shall have the summary from the initiative
22 financial information statements available at each polling
23 place and at the main office of the supervisor of elections
24 upon request.

25 5. The Secretary of State and the Office of Economic
26 and Demographic Research shall make available on the Internet
27 each initiative financial information statement in its
28 entirety. In addition, each supervisor of elections whose
29 office has a website shall post the summary from each
30 initiative financial information statement on the website.
31 Each supervisor shall include the Internet addresses for the

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1 information statements on the Secretary of State's and the
2 Office of Economic and Demographic Research's websites in the
3 publication or mailing required by s. 101.20.

4 ~~(6)(7)~~ The Department of State may adopt rules in
5 accordance with s. 120.54 to carry out the provisions of
6 subsections ~~(1)-(5)(1)-(6)~~.

7 Section 29. Subsection (3) of section 101.001, Florida
8 Statutes, is amended to read:

9 101.001 Precincts and polling places; boundaries.--

10 (3)(a) Each supervisor of elections shall maintain a
11 suitable map drawn to a scale no smaller than 3 miles to the
12 inch and clearly delineating all major observable features
13 such as roads, streams, and railway lines and showing the
14 current geographical boundaries of each precinct,
15 representative district, and senatorial district, and other
16 type of district in the county subject to the elections
17 process in this code.

18 (b) The supervisor of elections shall notify the
19 Secretary of State in writing within 30 days after ~~of~~ any
20 reorganization of precincts and shall furnish a copy of the
21 map showing the current geographical boundaries and
22 designation of each new precinct. However, if precincts are
23 composed of whole census blocks, the supervisor may furnish,
24 in lieu of a copy of the map, a list, in an electronic format
25 prescribed by the Department of State, associating each census
26 block in the county with its precinct.

27 (c) Any precinct established or altered under the
28 provisions of this section shall consist of areas bounded on
29 all sides only by:

30 1. Census block boundaries from the most recent United
31 States Census;

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1 2. Governmental unit boundaries reported in the most
2 recent Boundary and Annexation Survey published by the United
3 States Census Bureau;

4 3. Visible features that are readily distinguishable
5 upon the ground, such as streets, railroads, tracks, streams,
6 and lakes, and that are indicated upon current census maps,
7 official Department of Transportation maps, official municipal
8 maps, official county maps, or a combination of such maps;

9 4. Boundaries of public parks, public school grounds,
10 or churches; or

11 5. Boundaries of counties, incorporated
12 municipalities, or other political subdivisions that meet
13 criteria established by the United States Census Bureau for
14 block boundaries.

15 (d) Until July 1, 2012, a supervisor may apply for and
16 obtain from the Secretary of State a waiver of the requirement
17 in paragraph (c).

18 Section 30. Subsections (1) and (3) of section
19 101.043, Florida Statutes, are amended to read:

20 101.043 Identification required at polls.--

21 (1) The precinct register, as prescribed in s. 98.461,
22 shall be used at the polls ~~in lieu of the registration books~~
23 for the purpose of identifying the elector at the polls prior
24 to allowing him or her to vote. The clerk or inspector shall
25 require each elector, upon entering the polling place, to
26 present one of the following a current and valid picture
27 identifications:

28 (a) Florida driver's license.

29 (b) Florida identification card issued by the
30 Department of Highway Safety and Motor Vehicles.

31 (c) United States passport.

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- 1 (d) Employee badge or identification.
- 2 (e) Buyer's club identification.
- 3 (f) Debit or credit card.
- 4 (g) Military identification.
- 5 (h) Student identification.
- 6 (i) Retirement center identification.
- 7 (j) Neighborhood association identification.
- 8 (k) Public assistance identification as provided in s.
9 97.0535(3)(a).

10

11 If the picture identification does not contain the signature
12 of the voter, an additional identification that provides the
13 voter's signature shall be required. The elector shall sign
14 his or her name in the space provided on the precinct register
15 or on an electronic device provided for recording the voter's
16 signature. ~~and~~ The clerk or inspector shall compare the
17 signature with that on the identification provided by the
18 elector and enter his or her initials in the space provided on
19 the precinct register or on an electronic device provided for
20 that purpose and allow the elector to vote if the clerk or
21 inspector is satisfied as to the identity of the elector.

22 (3) If the elector who fails to furnish the required
23 identification is an elector subject to s. 97.0535 ~~a~~
24 ~~first-time voter who registered by mail~~ and has not provided
25 the required identification to a voter registration official
26 ~~the supervisor of elections~~ prior to election day, the elector
27 shall be allowed to vote a provisional ballot. The canvassing
28 board shall determine the validity of the ballot pursuant to
29 s. 101.048(2).

30 Section 31. Subsections (2) and (3) of section
31 101.045, Florida Statutes, are amended to read:

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1 101.045 Electors must be registered in precinct;
2 provisions for residence or name change.--

3 (2)(a) An elector who moves from the precinct ~~within~~
4 ~~the county~~ in which the elector is registered may be permitted
5 to vote in the precinct to which he or she has moved his or
6 her legal residence, provided such elector completes an
7 affirmation in substantially the following form:

8 Change of Legal Residence of Registered
9 Voter

10
11 Under penalties for false swearing, I, (Name of voter) ,
12 swear (or affirm) that the former address of my legal
13 residence was (Address of legal residence) in the
14 municipality of _____, in _____ County, Florida, and I was
15 registered to vote in the _____ precinct of _____ County,
16 Florida; that I have not voted in the precinct of my former
17 registration in this election; that I now reside at (Address
18 of legal residence) in the Municipality of _____, in _____
19 County, Florida, and am therefore eligible to vote in the
20 _____ precinct of _____ County, Florida; and I further swear
21 (or affirm) that I am otherwise legally registered and
22 entitled to vote.

23 (Signature of voter whose address of legal
24 residence has changed)

25 (b) An elector whose name changes because of marriage
26 or other legal process may be permitted to vote, provided such
27 elector completes an affirmation in substantially the
28 following form:

29 Change of Name of Registered
30 Voter

31

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1 Under penalties for false swearing, I, (New name of voter) ,
 2 swear (or affirm) that my name has been changed
 3 because of marriage or other legal process. My former name and
 4 address of legal residence appear on the registration records
 5 ~~books~~ of precinct _____ as follows:

- 6 Name
- 7 Address
- 8 Municipality
- 9 County
- 10 Florida, Zip

11 My present name and address of legal residence are as follows:

- 12 Name
- 13 Address
- 14 Municipality
- 15 County
- 16 Florida, Zip

17 and I further swear (or affirm) that I am otherwise legally
 18 registered and entitled to vote.

19 (Signature of voter whose name has changed)

20 (c) Such affirmation, when completed and presented at
 21 the precinct in which such elector is entitled to vote, and
 22 upon verification of the elector's registration, shall entitle
 23 such elector to vote as provided in this subsection. If the
 24 elector's eligibility to vote cannot be determined, he or she
 25 shall be entitled to vote a provisional ballot, subject to the
 26 requirements and procedures in s. 101.048. Upon receipt of an
 27 affirmation certifying a change in address of legal residence
 28 or name, the supervisor shall as soon as practicable make the
 29 necessary changes in the statewide voter registration system
 30 ~~records of the county~~ to indicate the change in address of
 31 legal residence or name of such elector.

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1 (d) Instead of the affirmation contained in paragraph
 2 (a) or paragraph (b), an elector may complete a voter
 3 registration application that indicates the change of name or
 4 change of address of legal residence.

5 ~~(e) A request for an absentee ballot pursuant to s.~~
 6 ~~101.62 which indicates that the elector has had a change of~~
 7 ~~address of legal residence from that in the supervisor's~~
 8 ~~records shall be sufficient as the notice to the supervisor of~~
 9 ~~change of address of legal residence required by this section.~~
 10 ~~Upon receipt of such request for an absentee ballot from an~~
 11 ~~elector who has changed his or her address of legal residence,~~
 12 ~~the supervisor shall provide the elector with the proper~~
 13 ~~ballot for the precinct in which the elector then has his or~~
 14 ~~her legal residence.~~

15 ~~(3) When an elector's name does not appear on the~~
 16 ~~registration books of the election precinct in which the~~
 17 ~~elector is registered, the elector may have his or her name~~
 18 ~~restored if the supervisor is otherwise satisfied that the~~
 19 ~~elector is validly registered, that the elector's name has~~
 20 ~~been erroneously omitted from the books, and that the elector~~
 21 ~~is entitled to have his or her name restored. The supervisor,~~
 22 ~~if he or she is satisfied as to the elector's previous~~
 23 ~~registration, shall allow such person to vote and shall~~
 24 ~~thereafter issue a duplicate registration identification card.~~

25 Section 32. Subsection (1) of section 101.048, Florida
 26 Statutes, is amended to read:

27 101.048 Provisional ballots.--

28 (1) At all elections, a voter claiming to be properly
 29 registered in the state county and eligible to vote at the
 30 precinct in the election, but whose eligibility cannot be
 31 determined, and other persons specified in the code shall be

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1 entitled to vote a provisional ballot. Once voted, the
 2 provisional ballot shall be placed in a secrecy envelope and
 3 thereafter sealed in a provisional ballot envelope. The
 4 provisional ballot shall be deposited in a ballot box. All
 5 provisional ballots shall remain sealed in their envelopes for
 6 return to the supervisor of elections. The department shall
 7 prescribe the form of the provisional ballot envelope.

8 Section 33. Effective January 1, 2007, subsection (1)
 9 of section 101.161, Florida Statutes, is amended to read:

10 101.161 Referenda; ballots.--

11 (1) Whenever a constitutional amendment or other
 12 public measure is submitted to the vote of the people, the
 13 substance of such amendment or other public measure shall be
 14 printed in clear and unambiguous language on the ballot after
 15 the list of candidates, followed by the word "yes" and also by
 16 the word "no," and shall be styled in such a manner that a
 17 "yes" vote will indicate approval of the proposal and a "no"
 18 vote will indicate rejection. The wording of the substance of
 19 the amendment or other public measure and the ballot title to
 20 appear on the ballot shall be embodied in the joint
 21 resolution, constitutional revision commission proposal,
 22 constitutional convention proposal, taxation and budget reform
 23 commission proposal, or enabling resolution or ordinance.
 24 Except for amendments and ballot language proposed by joint
 25 resolution, the substance of the amendment or other public
 26 measure shall be an explanatory statement, not exceeding 75
 27 words in length, of the chief purpose of the measure. In
 28 addition, for every amendment proposed by initiative, the
 29 ballot shall include, following the ballot summary, a separate
 30 financial impact statement concerning the measure prepared by
 31 the Financial Impact Estimating Conference in accordance with

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1 s. 100.371(5)(~~6~~). The ballot title shall consist of a caption,
2 not exceeding 15 words in length, by which the measure is
3 commonly referred to or spoken of.

4 Section 34. Subsection (2) of section 101.56062,
5 Florida Statutes, as created by chapter 2002-281, Laws of
6 Florida, is amended to read:

7 101.56062 Standards for accessible voting systems.--

8 (2) Such voting system must include at least one
9 accessible voter interface device installed in each polling
10 place ~~precinct~~ which meets the requirements of this section,
11 except for paragraph (1)(d).

12 Section 35. Subsection (1) of section 101.5608,
13 Florida Statutes, is amended to read:

14 101.5608 Voting by electronic or electromechanical
15 method; procedures.--

16 (1) Each elector desiring to vote shall be identified
17 to the clerk or inspector of the election as a duly qualified
18 elector of such election and shall sign his or her name on the
19 ~~in ink or indelible pencil to an identification blank,~~
20 ~~signature slip,~~ precinct register, or other form or device
21 provided by the supervisor ~~ballot stub on which the ballot~~
22 ~~serial number may be recorded.~~ The inspector shall compare the
23 signature with the signature on the identification provided by
24 the elector. If the inspector is reasonably sure that the
25 person is entitled to vote, the inspector shall provide the
26 person with a ballot.

27 Section 36. Effective August 1, 2006, section 101.573,
28 Florida Statutes, is created to read:

29 101.573 Record of votes by precinct.--

30 (1) Within 75 days after the date of a municipal
31 election or runoff, whichever occurs later, a presidential

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1 preference primary, or a general election, the supervisor of
 2 elections shall file with the Department of State
 3 precinct-level election results for that election cycle,
 4 including any primary elections. Precinct-level election
 5 results shall record for each precinct the returns of ballots
 6 cast at the precinct location to which have been added the
 7 returns of absentee and early ballots cast by voters
 8 registered in the precinct.

9 (2) The Department of State shall adopt rules pursuant
 10 to ss. 120.536(1) and 120.54 prescribing the form by which
 11 supervisors of elections shall submit election results for
 12 each precinct.

13 Section 37. Effective January 1, 2007, paragraph (a)
 14 of subsection (4) of section 101.62, Florida Statutes, is
 15 amended to read:

16 101.62 Request for absentee ballots.--

17 (4)(a) To each absent qualified elector overseas who
 18 has requested an absentee ballot, the supervisor of elections
 19 shall, not fewer than 35 days before the first primary
 20 election, mail an absentee ballot. Not fewer than 45 days
 21 before the second primary and general election, the supervisor
 22 of elections shall mail an advance absentee ballot to those
 23 persons requesting ballots for such elections. The advance
 24 absentee ballot for the second primary shall be the same as
 25 the first primary absentee ballot as to the names of
 26 candidates, except that for any offices where there are only
 27 two candidates, those offices and all political party
 28 executive committee offices shall be omitted. Except as
 29 provided in ss. 99.063(4) and 100.371(5)~~(6)~~, the advance
 30 absentee ballot for the general election shall be as specified
 31 in s. 101.151, except that in the case of candidates of

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1 political parties where nominations were not made in the first
2 primary, the names of the candidates placing first and second
3 in the first primary election shall be printed on the advance
4 absentee ballot. The advance absentee ballot or advance
5 absentee ballot information booklet shall be of a different
6 color for each election and also a different color from the
7 absentee ballots for the first primary, second primary, and
8 general election. The supervisor shall mail an advance
9 absentee ballot for the second primary and general election to
10 each qualified absent elector for whom a request is received
11 until the absentee ballots are printed. The supervisor shall
12 enclose with the advance second primary absentee ballot and
13 advance general election absentee ballot an explanation
14 stating that the absentee ballot for the election will be
15 mailed as soon as it is printed; and, if both the advance
16 absentee ballot and the absentee ballot for the election are
17 returned in time to be counted, only the absentee ballot will
18 be counted. The Department of State may prescribe by rule the
19 requirements for preparing and mailing absentee ballots to
20 absent qualified electors overseas.

21 Section 38. Subsection (3) is added to section 101.64,
22 Florida Statutes, to read:

23 101.64 Delivery of absentee ballots; envelopes;
24 form.--

25 (3) The supervisor shall mark, code, indicate on, or
26 otherwise track the precinct of the absent elector for each
27 absentee ballot.

28 Section 39. Paragraph (a) of subsection (1) of section
29 101.657, Florida Statutes, is amended to read:

30 101.657 Early voting.--

31 (1)(a) The supervisor of elections shall allow an

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1 elector to vote early in the main or branch office of the
 2 supervisor by depositing the voted ballot in a voting device
 3 used by the supervisor to collect or tabulate ballots. The
 4 supervisor shall mark, code, indicate on, or otherwise track
 5 the voter's precinct for each early voted ballot. In order for
 6 a branch office to be used for early voting, it shall be a
 7 full-service facility of the supervisor and shall have been
 8 designated as such at least 1 year prior to the election. The
 9 supervisor may designate any city hall or public library as
 10 early voting sites; however, if so designated, the sites must
 11 be geographically located so as to provide all voters in the
 12 county an equal opportunity to cast a ballot, insofar as is
 13 practicable. The results or tabulation may not be made before
 14 the close of the polls on election day.

15 Section 40. Section 101.663, Florida Statutes, is
 16 amended to read:

17 101.663 Electors; change of residence to another
 18 state.--

19 ~~(1) An elector who changes his or her residence to~~
 20 ~~another county in Florida from the county in Florida in which~~
 21 ~~he or she is registered as an elector after the books in the~~
 22 ~~county to which the elector has changed his or her residence~~
 23 ~~are closed for any general, primary, or special election shall~~
 24 ~~be permitted to vote absentee in the county of his or her~~
 25 ~~former residence in that election for President and Vice~~
 26 ~~President, United States Senator, statewide offices, and~~
 27 ~~statewide issues. Such person shall not be permitted to vote~~
 28 ~~in the county of the person's former residence after the~~
 29 ~~general election.~~

30 (2) An elector registered in this state who moves his
 31 or her permanent residence to another state and who is

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1 prohibited by the laws of that state from voting for the
2 offices of President and Vice President of the United States
3 shall be permitted to vote absentee in the county of his or
4 her former residence for those offices.

5 Section 41. Subsection (1) of section 101.6921,
6 Florida Statutes, is amended to read:

7 101.6921 Delivery of special absentee ballot to
8 certain first-time voters.--

9 (1) The provisions of this section apply to voters who
10 are subject to the provisions of s. 97.0535 ~~registered to vote~~
11 ~~by mail, who have not previously voted in the county,~~ and who
12 have not provided the identification or certification required
13 by s. 97.0535 by the time the absentee ballot is mailed.

14 Section 42. Section 101.6923, Florida Statutes, is
15 amended to read:

16 101.6923 Special absentee ballot instructions for
17 certain first-time voters.--

18 (1) The provisions of this section apply to voters who
19 are subject to the provisions of s. 97.0535 ~~registered to vote~~
20 ~~by mail, who have not previously voted in the county,~~ and who
21 have not provided the identification or information required
22 by s. 97.0535 by the time the absentee ballot is mailed.

23 (2) A voter covered by this section shall be provided
24 with ~~the following~~ printed instructions with his or her
25 absentee ballot in substantially the following form:

26
27 READ THESE INSTRUCTIONS CAREFULLY BEFORE
28 MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE
29 INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO
30 COUNT.

31 1. In order to ensure that your absentee ballot will

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1 be counted, it should be completed and returned as soon as
2 possible so that it can reach the supervisor of elections of
3 the county in which your precinct is located no later than 7
4 p.m. on the date of the election.

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

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

13 4. Place your marked ballot in the enclosed secrecy
14 envelope and seal the envelope.

15 5. Insert the secrecy envelope into the enclosed
16 envelope bearing the Voter's Certificate. Seal the envelope
17 and completely fill out the Voter's Certificate on the back of
18 the envelope.

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

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

24 6. Unless you meet one of the exemptions in Item 7.,
25 you must make a copy of one of the following forms of
26 identification:

27 a. Identification which must include your name and
28 photograph: ~~current and valid Florida driver's license;~~
29 ~~Florida identification card issued by the Department of~~
30 ~~Highway Safety and Motor Vehicles;~~ United States passport;
31 employee badge or identification; buyer's club identification

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1 card; debit or credit card; military identification; student
 2 identification; retirement center identification; neighborhood
 3 association identification; ~~entertainment identification~~; or
 4 public assistance identification; or

5 b. Identification which shows your name and current
 6 residence address: current utility bill, bank statement,
 7 government check, paycheck, or government document (excluding
 8 voter identification card).

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

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

12 b. You have a temporary or permanent physical
 13 disability.

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

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

20 e. You are the spouse or dependent of a member
 21 referred to in paragraph c. or paragraph d. who, by reason of
 22 the active duty or service of the member, will be absent from
 23 the county on election day.

24 f. You are currently residing outside the United
 25 States.

26 8. Place the envelope bearing the Voter's Certificate
 27 into the mailing envelope addressed to the supervisor. Insert
 28 a copy of your identification in the mailing envelope. DO NOT
 29 PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE
 30 BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S
 31 CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.

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

4 10. FELONY NOTICE. It is a felony under Florida law to
5 accept any gift, payment, or gratuity in exchange for your
6 vote for a candidate. It is also a felony under Florida law to
7 vote in an election using a false identity or false address,
8 or under any other circumstances making your ballot false or
9 fraudulent.

10 Section 43. Subsection (3) of section 102.012, Florida
11 Statutes, is amended to read:

12 102.012 Inspectors and clerks to conduct elections.--

13 (3) The supervisor shall furnish inspectors of
14 election for each precinct with the list of registered
15 electors for that precinct ~~registration books divided~~
16 ~~alphabetically as will best facilitate the holding of an~~
17 ~~election~~. The supervisor shall also furnish to the inspectors
18 of election at the polling place at each precinct in the
19 supervisor's county a sufficient number of forms and blanks
20 for use on election day.

21 Section 44. Subsections (1), (2), and (3) of section
22 104.013, Florida Statutes, are amended to read:

23 104.013 Unauthorized use, possession, or destruction
24 of voter information ~~registration identification~~ card.--

25 (1) It is unlawful for any person knowingly to have in
26 his or her possession any blank, forged, stolen, fictitious,
27 counterfeit, or unlawfully issued voter information
28 ~~registration identification~~ card unless possession by such
29 person has been duly authorized by the supervisor.

30 (2) It is unlawful for any person to barter, trade,
31 sell, or give away a voter information ~~registration~~

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1 ~~identification~~ card unless said person has been duly
2 authorized to issue a voter information registration
3 ~~identification~~ card.

4 (3) It is unlawful for any person willfully to destroy
5 or deface the information registration identification card of
6 a duly registered voter.

7 Section 45. Effective upon becoming a law, subsection
8 (7) is added to section 106.0705, Florida Statutes, to read:

9 106.0705 Electronic filing of campaign treasurer's
10 reports.--

11 (7) Notwithstanding anything in law to the contrary,
12 any report required to have been filed under this section for
13 the period ended March 31, 2005, shall be deemed to have been
14 timely filed if the report is filed under this section on or
15 before June 1, 2005.

16 Section 46. Subsection (2) of section 106.08, Florida
17 Statutes, is amended to read:

18 106.08 Contributions; limitations on.--

19 (2)(a) A candidate may not accept contributions from
20 national, state, including any subordinate committee of a
21 national, state, or county committee of a political party, and
22 county executive committees of a political party, which
23 contributions in the aggregate exceed \$50,000, no more than
24 \$25,000 of which may be accepted prior to the 28-day period
25 immediately preceding the date of the general election.

26 (b) A candidate for statewide office may not accept
27 contributions from national, state, or county executive
28 committees of a political party, including any subordinate
29 committee of a national, state, or county committee of a
30 political party, which contributions in the aggregate exceed
31 \$250,000, no more than \$125,000 of which may be accepted prior

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1 to the 28-day period immediately preceding the date of the
2 general election. Polling services, research services, costs
3 for campaign staff, professional consulting services, and
4 telephone calls are not contributions to be counted toward the
5 contribution limits of paragraph (a) or paragraph (b). Any
6 item not expressly identified in this paragraph as
7 nonallocable is a contribution in an amount equal to the fair
8 market value of the item and must be counted as allocable
9 toward the ~~\$50,000~~ contribution limits of paragraph (a) or
10 paragraph (b). Nonallocable, in-kind contributions must be
11 reported by the candidate under s. 106.07 and by the political
12 party under s. 106.29.

13 Section 47. Subsection (3) of section 106.33, Florida
14 Statutes, is amended to read:

15 106.33 Election campaign financing; eligibility.--Each
16 candidate for the office of Governor or member of the Cabinet
17 who desires to receive contributions from the Election
18 Campaign Financing Trust Fund shall, upon qualifying for
19 office, file a request for such contributions with the filing
20 officer on forms provided by the Division of Elections. If a
21 candidate requesting contributions from the fund desires to
22 have such funds distributed by electronic fund transfers, the
23 request shall include information necessary to implement that
24 procedure. For the purposes of ss. 106.30-106.36, candidates
25 for Governor and Lieutenant Governor on the same ticket shall
26 be considered as a single candidate. To be eligible to
27 receive contributions from the fund, a candidate may not be an
28 unopposed candidate as defined in s. 106.011(15) and must:

29 (3) Limit loans or contributions from the candidate's
30 personal funds to \$25,000 and contributions from national,
31 state, and county executive committees of a political party to

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1 ~~\$250,000~~~~\$25,000~~ in the aggregate, which loans or
2 contributions shall not qualify for meeting the threshold
3 amounts in subsection (2).

4 Section 48. Section 106.34, Florida Statutes, is
5 amended to read:

6 106.34 Expenditure limits.--

7 (1) Any candidate for Governor and Lieutenant Governor
8 or Cabinet officer who requests contributions from the
9 Election Campaign Financing Trust Fund shall limit his or her
10 total expenditures as follows:

11 (a) Governor and Lieutenant Governor: \$2.00 for each
12 Florida-registered voter~~\$5 million~~.

13 (b) Cabinet officer: \$1.00 for each Florida-registered
14 voter~~\$2 million~~.

15 (2) The expenditure limit for any candidate with
16 primary election opposition only shall be 60 percent of the
17 limit provided in subsection (1).

18 (3) For purposes of this section, "Florida-registered
19 voter" means a voter who is registered to vote in Florida as
20 of June 30 of each odd-numbered year. The Division of
21 Elections shall certify the total number of Florida-registered
22 voters no later than July 31 of each odd-numbered year. Such
23 total number shall be calculated by adding the number of
24 registered voters in each county as of June 30 in the year of
25 the certification date. For the 2006 general election, the
26 Division of Elections shall certify the total number of
27 Florida-registered voters by July 31, 2005. The expenditure
28 limit shall be adjusted by the Secretary of State
29 quadrennially to reflect the rate of inflation or deflation as
30 indicated in the Consumer Price Index for All Urban Consumers,
31 U.S. City Average, All Items, 1967-100, or successor reports

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1 ~~as reported by the United States Department of Labor, Bureau~~
2 ~~of Labor Statistics.~~

3 (4) For the purposes of this section, the term
4 "expenditure" does not include the payment of compensation for
5 legal and accounting services rendered on behalf of a
6 candidate.

7 Section 49. Section 196.141, Florida Statutes, is
8 amended to read:

9 196.141 Homestead exemptions; duty of property
10 appraiser.--

11 ~~(1)~~ The property appraiser shall examine each claim
12 for exemption filed with or referred to him or her and shall
13 allow the same, if found to be in accordance with law, by
14 marking the same approved and by making the proper deductions
15 on the tax books.

16 ~~(2) The property appraiser shall examine each~~
17 ~~referral, of a person registering to vote at an address~~
18 ~~different from the one where the person has filed for a~~
19 ~~homestead exemption, which has been provided by a supervisor~~
20 ~~of elections pursuant to s. 98.015. The property appraiser~~
21 ~~shall initiate procedures to terminate a person's homestead~~
22 ~~exemption and assess back taxes, if appropriate, if the person~~
23 ~~claiming such exemption is not entitled to the exemption under~~
24 ~~law.~~

25 Section 50. Subsection (4) of section 120.54, Florida
26 Statutes, is amended to read:

27 120.54 Rulemaking.--

28 (4) EMERGENCY RULES.--

29 (a) If an agency finds that an immediate danger to the
30 public health, safety, or welfare requires emergency action,
31 the agency may adopt any rule necessitated by the immediate

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1 danger. The agency may adopt a rule by any procedure which is
2 fair under the circumstances if:

3 1. The procedure provides at least the procedural
4 protection given by other statutes, the State Constitution, or
5 the United States Constitution.

6 2. The agency takes only that action necessary to
7 protect the public interest under the emergency procedure.

8 3. The agency publishes in writing at the time of, or
9 prior to, its action the specific facts and reasons for
10 finding an immediate danger to the public health, safety, or
11 welfare and its reasons for concluding that the procedure used
12 is fair under the circumstances. In any event, notice of
13 emergency rules, other than those of educational units or
14 units of government with jurisdiction in only one or a part of
15 one county, including the full text of the rules, shall be
16 published in the first available issue of the Florida
17 Administrative Weekly and provided to the committee. The
18 agency's findings of immediate danger, necessity, and
19 procedural fairness shall be judicially reviewable.

20 (b) Rules pertaining to the public health, safety, or
21 welfare shall include rules pertaining to perishable
22 agricultural commodities or rules pertaining to the
23 interpretation and implementation of the requirements of
24 chapters 97 through 102 and 105 of the Election Code.

25 (c) An emergency rule adopted under this subsection
26 shall not be effective for a period longer than 90 days and
27 shall not be renewable, except during the pendency of a
28 challenge to proposed rules addressing the subject of the
29 emergency rule. However, the agency may take identical action
30 by the rulemaking procedures specified in this chapter.

31 (d) Subject to applicable constitutional and statutory

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1 provisions, an emergency rule becomes effective immediately on
 2 filing, or on a date less than 20 days thereafter if specified
 3 in the rule, if the adopting agency finds that such effective
 4 date is necessary because of immediate danger to the public
 5 health, safety, or welfare.

6 Section 51. Subsection (1) of section 99.061, Florida
 7 Statutes, is amended to read:

8 99.061 Method of qualifying for nomination or election
 9 to federal, state, county, or district office.--

10 (1) The provisions of any special act to the contrary
 11 notwithstanding, each person seeking to qualify for nomination
 12 or election to a federal, state, or multicounty district
 13 office, other than election to a judicial office as defined in
 14 chapter 105 or the office of school board member, shall file
 15 his or her qualification papers with, and pay the qualifying
 16 fee, which shall consist of the filing fee and election
 17 assessment, and party assessment, if any has been levied, to,
 18 the Department of State, or qualify by the alternative method
 19 with the Department of State, at any time after noon of the
 20 1st day for qualifying, which shall be as follows: the 120th
 21 day prior to the first primary, but not later than noon of the
 22 116th day prior to the date of the first primary, for persons
 23 seeking to qualify for nomination or election to federal
 24 office or the office of the state attorney or public defender;
 25 and noon of the 50th day prior to the first primary, but not
 26 later than noon of the 46th day prior to the date of the first
 27 primary, for persons seeking to qualify for nomination or
 28 election to a state or multicounty district office, other than
 29 the office of state attorney or public defender.

30 Section 52. Subsection (4) of section 322.142, Florida
 31 Statutes, is amended to read:

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1 322.142 Color photographic or digital imaged
2 licenses.--
3 (4) The department may maintain a film negative or
4 print file. The department shall maintain a record of the
5 digital image and signature of the licensees, together with
6 other data required by the department for identification and
7 retrieval. Reproductions from the file or digital record shall
8 be made and issued only for departmental administrative
9 purposes; for the issuance of duplicate licenses; in response
10 to law enforcement agency requests; to the Department of State
11 pursuant to an interagency agreement to facilitate
12 determinations of eligibility of voter registration applicants
13 and registered voters in accordance with ss. 98.045 and
14 98.075; to the Department of Revenue pursuant to an
15 interagency agreement to facilitate service of process in
16 Title IV-D cases; or to the Department of Financial Services
17 pursuant to an interagency agreement to facilitate the
18 location of owners of unclaimed property, the validation of
19 unclaimed property claims, and the identification of
20 fraudulent or false claims, and are exempt from the provisions
21 of s. 119.07(1).

22 Section 53. Absentee ballots and voting;
23 violations.--Any person who provides or offers to provide, and
24 any person who accepts, a pecuniary or other benefit in
25 exchange for distributing, ordering, requesting, collecting,
26 delivering, or otherwise physically possessing absentee
27 ballots, with intent to alter, change, modify, or erase any
28 vote on the absentee ballot, except as provided in sections
29 101.6105-101.695, Florida Statutes, commits a felony of the
30 third degree, punishable as provided in section 775.082,
31 section 775.083, or section 775.084, Florida Statutes.

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1 Section 54. Subsection (1) of section 104.047, Florida
2 Statutes, is repealed.

3 Section 55. Sections 98.055, 98.095, 98.0977, 98.0979,
4 98.101, 98.181, 98.231, 98.451, 98.481, and 101.635, Florida
5 Statutes, are repealed.

6 Section 56. Except as otherwise expressly provided in
7 this act and except for this section, which shall take effect
8 upon becoming a law, this act shall take effect January 1,
9 2006.

10

11

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

13 And the title is amended as follows:

14 Delete everything before the enacting clause

15

16 and insert:

17

 A bill to be entitled

18

 An act relating to elections; amending s.

19

 97.012, F.S.; revising the duties of the

20

 Secretary of State and the Department of State

21

 relating to election laws; providing for

22

 rulemaking; authorizing the Secretary of State

23

 to delegate voter registration and records

24

 maintenance duties to voter registration

25

 officials; providing that the secretary has a

26

 duty to bring legal action to enforce the

27

 performance of county supervisors of elections

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 or other officials performing duties relating

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 to the Florida Election Code; providing a

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 prerequisite to bringing such an action;

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 providing venue; requiring that courts give

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1 priority to such an action; providing
2 penalties; providing for the adoption of rules;
3 amending s. 97.021, F.S.; revising and
4 providing definitions; amending s. 97.026,
5 F.S.; providing rulemaking authority to make
6 forms available in alternative formats and via
7 the Internet; correcting a cross-reference;
8 amending s. 97.051, F.S.; revising the oath
9 taken by a person registering to vote; amending
10 s. 97.052, F.S.; requiring that the uniform
11 statewide voter registration application be
12 accepted for replacement of a voter information
13 card and signature update; revising the
14 information the uniform statewide voter
15 registration application must contain and must
16 elicit from the applicant; providing for the
17 failure of a voter registration applicant to
18 answer questions on the voter registration
19 application; amending s. 97.053, F.S.; revising
20 the criteria for completeness of a voter
21 registration application; specifying the
22 possible valid recipients of a mailed voter
23 registration application; revising the
24 information needed on a voter registration
25 application to establish an applicant's
26 eligibility; providing for verification of
27 authenticity of certain voter registration
28 application information; providing for a
29 provisional ballot to be provided to an
30 applicant if the application is not verified by
31 a certain date; requiring a voter registration

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1 official to enter all voter registration
2 applications into the voter registration system
3 within a certain time period and forward such
4 applications to the supervisor of elections;
5 amending s. 97.0535, F.S.; providing for
6 applicants who have no valid Florida driver's
7 license, identification card, or social
8 security number; amending s. 97.055, F.S.;
9 specifying the information updates permitted
10 for purposes of an upcoming election once
11 registration books are closed; amending s.
12 97.057, F.S.; revising the voter registration
13 procedure by the Department of Highway Safety
14 and Motor Vehicles; amending s. 97.058, F.S.;
15 revising duties of voter registration agencies;
16 amending s. 97.061, F.S.; revising special
17 registration procedures for electors requiring
18 assistance; amending s. 97.071, F.S.;
19 redesignating the registration identification
20 card as the voter information card; revising
21 the required contents of the card; deleting
22 provisions relating to the second primary;
23 amending s. 97.073, F.S.; revising the
24 procedure by which an applicant must supply
25 missing information on the voter registration
26 application; revising provisions relating to
27 cancellation of previous registration; amending
28 s. 97.1031, F.S.; revising provisions relating
29 to notice of change of residence, name, or
30 party affiliation; amending s. 97.105, F.S.,
31 relating to establishment of the permanent

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1 single registration system, to conform;
2 amending s. 98.015, F.S.; revising the duties
3 of supervisors of elections; creating s.
4 98.035, F.S.; establishing a statewide voter
5 registration system; requiring the Secretary of
6 State to be responsible for the implementation,
7 operation, and maintenance of the system;
8 prohibiting the department from contracting
9 with any other entity to operate the system;
10 authorizing the department to adopt rules
11 relating to the access, use, and operation of
12 the system; amending s. 98.045, F.S.; revising
13 provisions relating to administration of voter
14 registration; providing for the responsibility
15 of such administration to be undertaken by the
16 department in lieu of supervisors of elections;
17 specifying ineligibility criteria; revising
18 provisions relating to removal of registered
19 voters; revising provisions relating to public
20 records access and retention; providing for the
21 establishment of a statewide electronic
22 database of valid residential street addresses;
23 authorizing the department to adopt rules
24 relating to certain voter registration system
25 forms; amending s. 98.065, F.S.; revising
26 provisions relating to registration records
27 maintenance; providing for change of address;
28 providing limitations on notice and renewal;
29 requiring supervisors of elections to certify
30 to the department certain list maintenance
31 activities; providing penalties; amending s.

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1 98.075, F.S.; providing for registration
2 records maintenance by the department;
3 providing procedures in cases involving
4 duplicate registration, deceased persons,
5 adjudication of mental incapacity, felony
6 conviction, and other bases for ineligibility;
7 providing procedures for removal; requiring
8 supervisors of elections to certify to the
9 department certain registration records
10 maintenance activities; creating s. 98.0755,
11 F.S.; providing for appeal of a determination
12 of ineligibility; providing for jurisdiction,
13 burden of proof, and trial costs; amending s.
14 98.077, F.S.; revising provisions relating to
15 updating a voter's signature; amending s.
16 98.081, F.S., relating to removal of names from
17 the statewide voter registration system, to
18 conform; deleting provisions relating to the
19 second primary; amending s. 98.093, F.S.;
20 revising the duty of officials to furnish lists
21 of deceased persons, persons adjudicated
22 mentally incapacitated, and persons convicted
23 of a felony; creating 98.0981, F.S.; requiring
24 the department to furnish certain voter
25 information to the Legislature; amending s.
26 98.212, F.S., relating to furnishing of
27 statistical and other information, to conform;
28 amending s. 98.461, F.S.; authorizing use of an
29 electronic database as a precinct register and
30 use of an electronic device for voter
31 signatures and witness initials; amending s.

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1 100.371, F.S.; revising the procedure by which
 2 constitutional amendments proposed by
 3 initiative shall be placed on the ballot;
 4 amending s. 101.001, F.S.; revising
 5 requirements of supervisors relating to
 6 precincts and precinct boundaries; providing
 7 exceptions; amending s. 101.043, F.S.; revising
 8 requirements and procedures relating to
 9 identification required at polls; amending s.
 10 101.045, F.S., relating to provisions for
 11 residence or name change at the polls, to
 12 conform; amending s. 101.048, F.S., relating to
 13 provisional ballots, to conform; amending s.
 14 101.161, F.S.; conforming a cross-reference;
 15 amending s. 101.56062, F.S., relating to
 16 standards for accessible voting systems, to
 17 conform; amending s. 101.5608, F.S.; revising
 18 a provision relating to an elector's signature
 19 provided with identification prior to voting;
 20 creating s. 101.573, F.S.; requiring
 21 supervisors of elections to file precinct-level
 22 election results; requiring the Department of
 23 State to adopt rules; amending s. 101.62, F.S.;
 24 conforming a cross-reference; amending ss.
 25 101.64 and 101.657, F.S.; requiring that the
 26 supervisor of elections indicate on each
 27 absentee or early voted ballot the precinct of
 28 the voter; amending s. 101.663, F.S., relating
 29 to change of residence, to conform; amending s.
 30 101.6921, F.S., relating to delivery of special
 31 absentee ballots to certain first-time voters,

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1 to conform; amending s. 101.6923, F.S.,
2 relating to special absentee ballot
3 instructions for certain first-time voters, to
4 conform; amending s. 102.012, F.S., relating to
5 conduct of elections by inspectors and clerks,
6 to conform; amending s. 104.013, F.S., relating
7 to unauthorized use, possession, or destruction
8 of voter information cards, to conform;
9 amending s. 106.0705, F.S.; providing for the
10 timely filing of certain reports; amending s.
11 106.08; providing for contribution limits to
12 statewide candidates; amending s. 106.33, F.S.;
13 increasing certain contribution limits;
14 amending s. 106.34, F.S.; revising provisions
15 relating to certain candidate expenditure
16 limits; providing a definition; amending s.
17 196.141, F.S., relating to homestead exemptions
18 and duties of property appraisers, to conform;
19 amending s. 120.54, F.S.; including certain
20 rules pertaining to the Florida Election Code
21 within the definition of emergency rules
22 governing public health, safety, or welfare;
23 amending s. 99.061, F.S.; providing the method
24 of qualifying for nomination to the office of
25 the state attorney or public defender; amending
26 s. 322.142, F.S.; providing for disclosure of
27 certain confidential driver's license
28 information to the department under certain
29 circumstances; making it a third-degree felony
30 to participate in certain exchanges associated
31 with voting by absentee ballot; repealing s.

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1 104.047(1), F.S., relating to criminal
2 penalties for participation in certain
3 exchanges associated with voting by absentee
4 ballot; repealing s. 98.055, F.S., relating to
5 registration list maintenance forms; repealing
6 s. 98.095, F.S., relating to county registers
7 open to inspection and copies; repealing s.
8 98.0977, F.S., relating to the statewide voter
9 registration database and its operation and
10 maintenance; repealing s. 98.0979, F.S.,
11 relating to inspection of the statewide voter
12 registration; repealing s. 98.101, F.S.,
13 relating to specifications for permanent
14 registration binders, files, and forms;
15 repealing s. 98.181, F.S., relating to duty of
16 the supervisor of elections to make up indexes
17 or records; repealing s. 98.231, F.S., relating
18 to duty of the supervisor of elections to
19 furnish the department the number of registered
20 electors; repealing s. 98.451, F.S., relating
21 to automation in processing registration data;
22 repealing s. 98.481, F.S., relating to
23 challenges to electors; repealing s. 101.635,
24 F.S., relating to distribution of blocks of
25 printed ballots; providing effective dates.

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