

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Brown offered the following:

2

3 **Amendment (with title amendment)**

4 Remove the entire body and insert:

5

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

7

8 Section 1. Subsections (1), (2), and (11) of section
9 97.012, Florida Statutes, are amended, and subsection (14) is
10 added to said section, to read:

11 97.012 Secretary of State as chief election officer.--The
12 Secretary of State is the chief election officer of the state,
13 and it is his or her responsibility to:

14 (1) Obtain and maintain uniformity in the ~~application,~~
15 ~~operation,~~ and interpretation and implementation of the election

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16 | laws. In order to obtain and maintain uniformity in the
17 | interpretation and implementation of the elections laws, the
18 | Department of State may, pursuant to ss. 120.536(1) and 120.54,
19 | adopt by rule uniform standards for the proper and equitable
20 | interpretation and implementation of the requirements of
21 | chapters 97 through 102 and 105 of the Florida Election Code.

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

26 | (11) Create and administer ~~maintain~~ a statewide voter
27 | registration system as required by the Help America Vote Act of
28 | 2002 database. The secretary may delegate voter registration
29 | duties and records maintenance activities to voter registration
30 | officials. Any responsibilities delegated by the secretary shall
31 | be performed in accordance with state and federal law.

32 | (14) Bring and maintain such actions at law or in equity
33 | by mandamus or injunction to enforce the performance of any
34 | duties of a county supervisor of elections or any official
35 | performing duties with respect to chapters 97 through 102 and
36 | 105 or to enforce compliance with a rule of the Department of
37 | State adopted to interpret or implement any of those chapters.

38 | (a) Venue for such actions shall be in the Circuit Court
39 | of Leon County.

40 | (b) When the secretary files an action under this section
41 | and not more than 60 days remain before an election as defined
42 | in s. 97.021, or during the time period after the election and

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43 before certification of the election pursuant to s. 102.112 or
44 s. 102.121, the court, including an appellate court, shall set
45 an immediate hearing, giving the case priority over other
46 pending cases.

47 (c) Prior to filing an action to enforce performance of
48 the duties of the supervisor of elections or any official
49 described in this subsection, the secretary or his or her
50 designee first must confer, or must make a good-faith attempt to
51 confer, with the supervisor of elections or the official to
52 ensure compliance with chapters 97 through 102 and 105 or the
53 rules of the Department of State adopted under any of those
54 chapters.

55 Section 2. Subsection (13) of section 97.021, Florida
56 Statutes, is amended, present subsections (38) and (39) are
57 renumbered as subsections (39) and (40), respectively, and a new
58 subsection (38) is added to said section, to read:

59 97.021 Definitions.--For the purposes of this code, except
60 where the context clearly indicates otherwise, the term:

61 (13) "Lists of registered electors" means names and
62 associated information ~~copies of printed lists~~ of registered
63 electors maintained by the department in the statewide voter
64 registration system or generated or derived from the statewide
65 voter registration system. Lists may be produced in printed or
66 electronic format, ~~computer tapes or disks, or any other device~~
67 ~~used by the supervisor of elections to maintain voter records.~~

68 (38) "Voter registration official" means any supervisor of
69 elections or individual authorized by the Secretary of State to

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70 accept voter registration applications and execute updates to
71 the statewide voter registration system.

72 Section 3. Section 97.026, Florida Statutes, is amended to
73 read:

74 97.026 Forms to be available in alternative formats and
75 via the Internet.--It is the intent of the Legislature that all
76 forms required to be used in chapters 97-106 shall be made
77 available upon request, in alternative formats. Such forms shall
78 include absentee ballots as alternative formats for such ballots
79 become available and the Division of Elections is able to
80 certify systems that provide them. The department may, pursuant
81 to ss. 120.536(1) and 120.54, adopt rules to administer this
82 section. Whenever possible, such forms, with the exception of
83 absentee ballots, shall be made available by the Department of
84 State via the Internet. Sections that contain such forms
85 include, but are not limited to, ss. 97.051, 97.052, 97.053,
86 97.057, 97.058, 97.0583, 97.071, 97.073, 97.1031, ~~98.055,~~
87 98.075, 99.021, 100.361, 100.371, 101.045, 101.171, 101.20,
88 101.6103, 101.62, 101.64, 101.65, 101.657, 105.031, 106.023, and
89 106.087.

90 Section 4. Section 97.051, Florida Statutes, is amended to
91 read:

92 97.051 Oath upon registering.--A person registering to
93 vote must subscribe to the following oath: "I do solemnly swear
94 (or affirm) that I will protect and defend the Constitution of
95 the United States and the Constitution of the State of Florida,
96 that I am qualified to register as an elector under the

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97 Constitution and laws of the State of Florida, and that all
98 information provided in this application is true ~~I am a citizen~~
99 ~~of the United States and a legal resident of Florida.~~"

100 Section 5. Section 97.052, Florida Statutes, is amended to
101 read:

102 97.052 Uniform statewide voter registration application.--

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

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

- 107 1. Initial registration.
- 108 2. Change of address.
- 109 3. Change of party affiliation.
- 110 4. Change of name.
- 111 5. Replacement of a voter information registration
112 ~~identification~~ card.
- 113 6. Signature update.

114 (b) The department is responsible for printing the uniform
115 statewide voter registration application and the voter
116 registration application form prescribed by the ~~Federal~~ Election
117 Assistance Commission pursuant to federal law ~~the National Voter~~
118 ~~Registration Act of 1993~~. The applications and forms must be
119 distributed, upon request, to the following:

- 120 1. Individuals seeking to register to vote or update a
121 voter registration record.

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

125 3. The Department of Highway Safety and Motor Vehicles.

126 4. Voter registration agencies.

127 5. Armed forces recruitment offices.

128 6. Qualifying educational institutions.

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

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

133 b. By distributing the applications and forms at other
134 locations designated by each supervisor.

135 c. By mailing the applications and forms to applicants
136 upon the request of the applicant.

137 (c) The uniform statewide voter registration application
138 may be reproduced by any private individual or group, provided
139 the reproduced application is in the same format as the
140 application prescribed by rule under this section.

141 (2) The uniform statewide voter registration application
142 must be designed to elicit the following information from the
143 applicant:

144 (a) Last, first, and middle ~~Full~~ name, including any
145 suffix.

146 (b) Date of birth.

147 (c) Address of legal residence.

148 (d) Mailing address, if different.

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- 149 (e) County of legal residence.
- 150 ~~(f) Address of property for which the applicant has been~~
- 151 ~~granted a homestead exemption, if any.~~
- 152 (f)~~(g)~~ Race or ethnicity that best describes the
- 153 applicant:
- 154 1. American Indian or Alaskan Native.
- 155 2. Asian or Pacific Islander.
- 156 3. Black, not Hispanic.
- 157 4. White, not Hispanic.
- 158 5. Hispanic.
- 159 (g)~~(h)~~ State or country of birth.
- 160 (h)~~(i)~~ Sex.
- 161 (i)~~(j)~~ Party affiliation.
- 162 (j)~~(k)~~ Whether the applicant needs assistance in voting.
- 163 (k)~~(l)~~ Name and address where last registered.
- 164 (l)~~(m)~~ Last four digits of the applicant's social security
- 165 number.
- 166 (m)~~(n)~~ Florida driver's license number or the
- 167 identification number from a Florida identification card issued
- 168 under s. 322.051.
- 169 (n) An indication, if applicable, that the applicant has
- 170 not been issued a Florida driver's license, a Florida
- 171 identification card, or a social security number.
- 172 (o) Telephone number (optional).
- 173 (p) Signature of applicant under penalty for false
- 174 swearing pursuant to s. 104.011, by which the person subscribes
- 175 to the oath required by s. 3, Art. VI of the State Constitution

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176 and s. 97.051, and swears or affirms that the information
177 contained in the registration application is true.

178 (q) Whether the application is being used for initial
179 registration, to update a voter registration record, or to
180 request a replacement voter information registration
181 identification card.

182 (r) Whether the applicant is a citizen of the United
183 States by asking the question "Are you a citizen of the United
184 States of America?" and providing boxes for the applicant to
185 check to indicate whether the applicant is or is not a citizen
186 of the United States.

187 (s) Whether ~~That~~ the applicant has ~~not~~ been convicted of a
188 felony, and ~~or~~, if convicted, has had his or her civil rights
189 restored by including the statement "I affirm I am not a
190 convicted felon or, if I am, my rights relating to voting have
191 been restored." and providing a box for the applicant to check
192 to affirm the statement.

193 (t) Whether ~~That~~ the applicant has ~~not~~ been adjudicated
194 mentally incapacitated with respect to voting or, if so
195 adjudicated, has had his or her right to vote restored by
196 including the statement "I affirm I have not been adjudicated
197 mentally incapacitated with respect to voting or, if I have, my
198 competency has been restored." and providing a box for the
199 applicant to check to affirm the statement.

200

201 The registration application form ~~form~~ must be in plain language and
202 designed so that convicted felons whose civil rights have been

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203 restored and persons who have been adjudicated mentally
204 incapacitated and have had their voting rights restored are not
205 required to reveal their prior conviction or adjudication.

206 (3) The uniform statewide voter registration application
207 must also contain:

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

210 (b) A statement specifying each eligibility requirement
211 under s. 97.041.

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

214 (d) A statement that, if an applicant declines to register
215 to vote, the fact that the applicant has declined to register
216 will remain confidential and may be used only for voter
217 registration purposes.

218 (e) A statement that informs the applicant who chooses to
219 register to vote or update a voter registration record that the
220 office at which the applicant submits a voter registration
221 application or updates a voter registration record will remain
222 confidential and may be used only for voter registration
223 purposes.

224 ~~(f) A statement that informs the applicant that any person~~
225 ~~who has been granted a homestead exemption in this state, and~~
226 ~~who registers to vote in any precinct other than the one in~~
227 ~~which the property for which the homestead exemption has been~~
228 ~~granted, shall have that information forwarded to the property~~
229 ~~appraiser where such property is located, which may result in~~

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230 ~~the person's homestead exemption being terminated and the person~~
231 ~~being subject to assessment of back taxes under s. 193.092,~~
232 ~~unless the homestead granted the exemption is being maintained~~
233 ~~as the permanent residence of a legal or natural dependent of~~
234 ~~the owner and the owner resides elsewhere.~~

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

241 (4) A supervisor may produce a voter registration
242 application that has the supervisor's direct mailing address if
243 the department has reviewed the application and determined that
244 it is substantially the same as the uniform statewide voter
245 registration application.

246 (5) The voter registration application form prescribed by
247 the ~~Federal~~ Election Assistance Commission pursuant to federal
248 law ~~the National Voter Registration Act of 1993~~ or the federal
249 postcard application must be accepted as an application for
250 registration in this state if the completed application or
251 postcard application contains the information required by the
252 constitution and laws of this state.

253 (6) If a voter registration applicant fails to provide any
254 of the required information on the voter registration
255 application form, the supervisor shall notify the applicant of
256 the failure by mail within 5 business days after the supervisor

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257 has the information available in the voter registration system.
258 The applicant shall have an opportunity to complete the
259 application form to vote in the next election up until the book
260 closing for that next election.

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

263 97.053 Acceptance of voter registration applications.--

264 (1) Voter registration applications, changes in
265 registration, and requests for a replacement voter information
266 ~~registration identification~~ card must be accepted in the office
267 of any supervisor, the division, a driver license office, a
268 voter registration agency, or an armed forces recruitment office
269 when hand delivered by the applicant or a third party during the
270 hours that office is open or when mailed.

271 (2) A ~~completed~~ voter registration application is complete
272 and that contains the information necessary to establish an
273 applicant's eligibility pursuant to s. 97.041 becomes the
274 official voter registration record of that applicant when all
275 information necessary to establish the applicant's eligibility
276 pursuant to s. 97.041 is received by a voter registration
277 official and verified pursuant to subsection (6) the appropriate
278 supervisor. If the applicant fails to complete his or her voter
279 registration application prior to the date of book closing for
280 an election, then such applicant shall not be eligible to vote
281 in that election.

282 (3) The registration date for a valid initial voter
283 registration application that has been hand delivered is the

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284 | date that the application is ~~when~~ received by a driver license
285 | office, a voter registration agency, an armed forces recruitment
286 | office, the division, or the office of any supervisor in the
287 | state.

288 | (4) The registration date for a valid initial voter
289 | registration application that has been mailed to a driver
290 | license office, a voter registration agency, an armed forces
291 | recruitment office, the division, or the office of any
292 | supervisor in the state and bears a clear postmark is the date
293 | of that ~~the~~ postmark. If an initial voter registration
294 | application that has been mailed does not bear a postmark or if
295 | the postmark is unclear, the registration date is the date the
296 | application ~~registration~~ is received by any supervisor or the
297 | division, unless it is received within 5 days after the closing
298 | of the books for an election, excluding Saturdays, Sundays, and
299 | legal holidays, in which case the registration date is the book-
300 | closing date.

301 | (5)(a) A voter registration application is complete if it
302 | contains the following information necessary to establish the
303 | applicant's eligibility pursuant to s. 97.041:

- 304 | 1. The applicant's name.
305 | 2. The applicant's legal residence address.
306 | 3. The applicant's date of birth.
307 | 4. A mark in the checkbox affirming ~~An indication that~~ the
308 | applicant is a citizen of the United States.

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309 5.a. The applicant's current and valid Florida driver's
310 license number ~~or~~ the identification number from a Florida
311 identification card issued under s. 322.051, or

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

315
316 In case an applicant has not been issued a current and valid
317 Florida driver's license, Florida identification card, or social
318 security number, the applicant shall affirm this fact in the
319 manner prescribed in the uniform statewide voter registration
320 application.

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

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

328 8. The original signature or a digital signature
329 transmitted by the Department of Highway Safety and Motor
330 Vehicles of the applicant swearing or affirming under the
331 penalty for false swearing pursuant to s. 104.011 that the
332 information contained in the registration application is true
333 and subscribing to the oath required by s. 3, Art. VI of the
334 State Constitution and s. 97.051.

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335 (b) An applicant who fails to designate party affiliation
336 must be registered without party affiliation. The supervisor
337 must notify the voter by mail that the voter has been registered
338 without party affiliation and that the voter may change party
339 affiliation as provided in s. 97.1031.

340 (6) A voter registration application may be accepted as
341 valid only after the department has verified the authenticity or
342 nonexistence of the driver's license number, the Florida
343 identification card number, or the last four digits of the
344 social security number provided by the applicant. If a completed
345 voter registration application has been received by the book-
346 closing deadline but the driver's license number, the Florida
347 identification card number, or the last four digits of the
348 social security number provided by the applicant cannot be
349 verified prior to the applicant presenting himself or herself to
350 vote, the applicant shall be provided a provisional ballot. The
351 provisional ballot shall be counted only if the application is
352 verified by the end of the canvassing period or if the applicant
353 presents evidence to the supervisor of elections sufficient to
354 verify the authenticity of the driver's license number, Florida
355 identification card number, or last four digits of the social
356 security number provided on the application no later than 5 p.m.
357 of the third day following the election.

358 (7) All voter registration applications received by a
359 voter registration official shall be entered into the statewide
360 voter registration system within 15 days after receipt. Once

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361 entered, the application shall be immediately forwarded to the
362 appropriate supervisor of elections.

363 Section 7. Subsections (1), (2), and (3) of section
364 97.0535, Florida Statutes, are amended to read:

365 97.0535 Special requirements for certain applicants.--

366 (1) Each applicant who registers by mail and who has never
367 previously voted in the state and who the department has
368 verified has not been issued a current and valid Florida
369 driver's license, Florida identification card, or social
370 security number ~~county~~ shall be required to provide a copy of a
371 current and valid identification, as provided in subsection (3),
372 or indicate that he or she is exempt from the requirements prior
373 to voting. Such ~~The applicant may provide the~~ identification or
374 indication may be provided at the time of registering, or at any
375 time prior to voting for the first time in the state ~~county~~. If
376 the voter registration application clearly provides information
377 from which a voter registration official ~~the supervisor~~ can
378 determine that the applicant meets at least one of the
379 exemptions in subsection (4), the voter registration official
380 ~~supervisor~~ shall make the notation on the registration records
381 of the statewide voter registration system and the applicant
382 shall not be required to provide the identification required by
383 this section ~~further information that is required of first time~~
384 ~~voters who register by mail.~~

385 (2) The voter registration official ~~supervisor of~~
386 ~~elections~~ shall, upon accepting the voter registration
387 application submitted pursuant to subsection (1) ~~for an~~

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388 ~~applicant who registered by mail and who has not previously~~
389 ~~voted in the county~~, determine if the applicant provided the
390 required identification at the time of registering. If the
391 required identification was not provided, the supervisor shall
392 notify the applicant that he or she must provide the
393 identification prior to voting the first time in the state
394 county.

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

- 398 ~~1. Florida driver's license.~~
- 399 ~~2. Florida identification card issued by the Department of~~
400 ~~Highway Safety and Motor Vehicles.~~
- 401 1.3. United States passport.
- 402 2.4. Employee badge or identification.
- 403 3.5. Buyer's club identification.
- 404 4.6. Debit or credit card.
- 405 5.7. Military identification.
- 406 6.8. Student identification.
- 407 7.9. Retirement center identification.
- 408 8.10. Neighborhood association identification.
- 409 ~~11. Entertainment identification.~~
- 410 9.12. Public assistance identification.

411 (b) The following forms of identification shall be
412 considered current and valid if they contain the name and
413 current residence address of the applicant:

- 414 1. Utility bill.

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- 415 2. Bank statement.
- 416 3. Government check.
- 417 4. Paycheck.
- 418 5. Other government document (excluding voter
- 419 identification card).

420 Section 8. Subsection (1) of section 97.055, Florida

421 Statutes, is amended to read:

422 97.055 Registration books; when closed for an election.--

423 (1) The registration books must be closed on the 29th day

424 before each election and must remain closed until after that

425 election. If an election is called and there are fewer than 29

426 days before that election, the registration books must be closed

427 immediately. When the registration books are closed for an

428 election, only updates to a voter's name, address, and signature

429 pursuant to ss. 98.077 and 101.045 will be permitted for

430 purposes of the upcoming election. Voter registration

431 applications and party changes must be accepted but only for the

432 purpose of subsequent elections. However, party changes received

433 between the book-closing date of the first primary election and

434 the date of the second primary election are not effective until

435 after the second primary election.

436 Section 9. Section 97.057, Florida Statutes, is amended to

437 read:

438 97.057 Voter registration by the Department of Highway

439 Safety and Motor Vehicles.--

440 (1) The Department of Highway Safety and Motor Vehicles

441 shall provide the opportunity to register to vote or to update a

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442 voter registration record to each individual who comes to an
443 office of that department to:

444 (a) Apply for or renew a driver's license;

445 (b) Apply for or renew an identification card pursuant to
446 chapter 322; or

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

449 (2) The Department of Highway Safety and Motor Vehicles
450 shall:

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

452 1. Information gathered for the completion of a driver's
453 license or identification card application, renewal, or change
454 of address can be automatically transferred to a voter
455 registration application;

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

459 3. Information provided can also be used to update a voter
460 registration record;

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

463 5. The particular driver license office in which the
464 person applies to register to vote or updates a voter
465 registration record will remain confidential and may be used
466 only for voter registration purposes.

467 (b) Require a driver's license examiner to inquire orally,
468 or, if the applicant is hearing impaired, inquire in writing if

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469 ~~the applicant is hearing impaired, and~~ whether the applicant
470 wishes to register to vote or update a voter registration record
471 during the completion of a driver's license or identification
472 card application, renewal, or change of address.

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

475 a. All applicable information received by the Department
476 of Highway Safety and Motor Vehicles in the course of filling
477 out the forms necessary under subsection (1) must be transferred
478 to a voter registration application. ~~+~~

479 b. The additional necessary information must be obtained
480 by the driver's license examiner and must not duplicate any
481 information already obtained while completing the forms required
482 under subsection (1). ~~+~~ and

483 c. A voter registration application with all of the
484 applicant's voter registration information required to establish
485 the applicant's eligibility pursuant to s. 97.041 must be
486 presented to the applicant to review and verify the voter
487 registration information received and provide an electronic
488 signature affirming the accuracy of the information provided
489 sign.

490 2. If the applicant declines to register to vote, update
491 the applicant's voter registration record, or change the
492 applicant's address by either orally declining or by failing to
493 sign the voter registration application, the Department of
494 Highway Safety and Motor Vehicles must note such declination on
495 its records and shall forward the declination to the statewide

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496 | ~~voter registration system keep the declination for 2 years but~~
497 | ~~must forward a copy of the unsigned voter registration~~
498 | ~~application within 5 days after receipt to the appropriate~~
499 | ~~supervisor of elections.~~

500 | (3) For the purpose of this section, the Department of
501 | Highway Safety and Motor Vehicles, with the approval of the
502 | Department of State, shall prescribe:

503 | (a) A voter registration application that is the same in
504 | content, format, and size as the uniform statewide voter
505 | registration application prescribed under s. 97.052; and

506 | (b) A form that will inform applicants under subsection
507 | (1) of the information contained in paragraph (2)(a).

508 | (4) The Department of Highway Safety and Motor Vehicles
509 | must electronically transmit forward completed voter
510 | registration applications within 24 hours after receipt to the
511 | statewide voter registration system. Completed paper voter
512 | registration applications received by the Department of Highway
513 | Safety and Motor Vehicles shall be forwarded within 5 days after
514 | receipt to the supervisor of the county where the office that
515 | processed or received that application is located.

516 | (5) The Department of Highway Safety and Motor Vehicles
517 | must send, with each driver's license renewal extension
518 | application authorized pursuant to s. 322.18(8), a uniform
519 | statewide voter registration application, the voter registration
520 | application prescribed under paragraph (3)(a), or a voter
521 | registration application developed especially for the purposes
522 | of this subsection by the Department of Highway Safety and Motor

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523 Vehicles, with the approval of the Department of State, which
524 must meet the requirements of s. 97.052.

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

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

529 (b) Display any political preference or party allegiance;

530 (c) Make any statement to an applicant or take any action
531 the purpose or effect of which is to discourage the applicant
532 from registering to vote; or

533 (d) Disclose any applicant's voter registration
534 information except as needed for the administration of voter
535 registration.

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

541 ~~(7)(8)~~ The Department of Highway Safety and Motor Vehicles
542 shall collect data determined necessary by the Department of
543 State for program evaluation and reporting to the ~~Federal~~
544 Election Assistance Commission pursuant to federal law ~~the~~
545 ~~National Voter Registration Act of 1993.~~

546 ~~(8)(9)~~ The Department of Highway Safety and Motor Vehicles
547 must ensure that all voter registration services provided by
548 driver license offices are in compliance with the Voting Rights
549 Act of 1965.

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550 (9) The Department of Highway Safety and Motor Vehicles
551 shall retain complete records of voter registration information
552 received, processed, and submitted to the statewide voter
553 registration system by the Department of Highway Safety and
554 Motor Vehicles. These records shall be for the explicit purpose
555 of supporting audit and accounting controls established to
556 ensure accurate and complete electronic transmission of records
557 between the statewide voter registration system and the
558 Department of Highway Safety and Motor Vehicles.

559 (10) The department shall provide the Department of
560 Highway Safety and Motor Vehicles with an electronic database of
561 street addresses valid for use as the legal residence address as
562 required in s. 97.053(5). The Department of Highway Safety and
563 Motor Vehicles shall compare the address provided by the
564 applicant against the database of valid street addresses. If the
565 address provided by the applicant does not match a valid street
566 address in the database, the applicant will be asked to verify
567 the address provided. The Department of Highway Safety and Motor
568 Vehicles shall not reject any application for voter registration
569 for which a valid match cannot be made.

570 (11) The Department of Highway Safety and Motor Vehicles
571 shall enter into an agreement with the department to match
572 information in the statewide voter registration system with
573 information in the database of the Department of Highway Safety
574 and Motor Vehicles to the extent required to verify the accuracy
575 of the driver's license number, Florida identification number,

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576 | or last four digits of the social security number provided on
577 | applications for voter registration as required in s. 97.053.

578 | (12) The Department of Highway Safety and Motor Vehicles
579 | shall enter into an agreement with the Commissioner of Social
580 | Security as required by the Help America Vote Act of 2002 to
581 | verify the last four digits of the social security number
582 | provided in applications for voter registration as required in
583 | s. 97.053.

584 | Section 10. Subsections (6), (7), and (9) of section
585 | 97.058, Florida Statutes, are amended to read:

586 | 97.058 Voter registration agencies.--

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

591 | (7) A voter registration agency must retain declinations
592 | for a period of 2 years, during which time the declinations are
593 | not considered a record of the client pursuant to the laws
594 | governing the agency's records. ~~However, a voter registration~~
595 | ~~agency must forward a copy of each incompleted voter~~
596 | ~~registration application within 5 days after receipt to the~~
597 | ~~appropriate supervisor of elections.~~

598 | (9) A voter registration agency must collect data
599 | determined necessary by the department, as provided by rule, for
600 | program evaluation and reporting to the ~~Federal~~ Election
601 | Assistance Commission pursuant to federal law ~~the National Voter~~
602 | ~~Registration Act of 1993.~~

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603 Section 11. Section 97.061, Florida Statutes, is amended
604 to read:

605 97.061 Special registration for electors requiring
606 assistance.--

607 (1) Any person who is eligible to register and who is
608 unable to read or write or who, because of some disability,
609 needs assistance in voting shall upon that person's request be
610 registered ~~by the supervisor~~ under the procedure prescribed by
611 this section and shall be entitled to receive assistance at the
612 polls under the conditions prescribed by this section. The
613 department may adopt rules to administer this section.

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

618 (3) The precinct register generated by the supervisor
619 shall contain ~~Upon registering any person pursuant to this~~
620 ~~section, the supervisor must make a notation on the registration~~
621 ~~books or records which are delivered to the polls on election~~
622 ~~day that such person is eligible for assistance in voting, and~~
623 ~~the supervisor may issue such person a special registration~~
624 ~~identification card or make a~~ some notation on the voter
625 information ~~regular registration identification~~ card that such
626 person is eligible for assistance in voting. Such person shall
627 be entitled to receive the assistance of two election officials
628 or some other person of his or her own choice, other than the
629 person's employer, the agent of the person's employer, or an

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630 officer or agent of the person's union, without the necessity of
631 executing the "Declaration to Secure Assistance" prescribed in
632 s. 101.051. Such person shall notify the supervisor of any
633 change in his or her condition which makes it unnecessary for
634 him or her to receive assistance in voting.

635 Section 12. Section 97.071, Florida Statutes, is amended
636 to read:

637 97.071 Voter information ~~Registration identification~~
638 card.--

639 (1) A voter information ~~registration identification~~ card
640 shall ~~must~~ be furnished by the supervisor to all registered
641 voters residing in the supervisor's county. The card may
642 ~~registering under the permanent single registration system and~~
643 ~~must~~ contain:

- 644 (a) Voter's registration number.
- 645 (b) Date of registration.
- 646 (c) Full name.
- 647 (d) Party affiliation.
- 648 (e) Date of birth.
- 649 ~~(f) Race or ethnicity, if provided by the applicant.~~
- 650 ~~(g) Sex, if provided by the applicant.~~
- 651 (f)(h) Address of legal residence.
- 652 (g)(i) Precinct number.
- 653 (h)(j) Name of supervisor and contact information of
654 supervisor.
- 655 ~~(k) Place for voter's signature.~~

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656 ~~(i)(1)~~ Other information deemed necessary by the
657 supervisor ~~department~~.

658 (2) A voter may receive a replacement voter information ~~of~~
659 ~~a registration identification~~ card by providing a signed,
660 written request for a replacement card to a voter registration
661 official ~~the supervisor~~. Upon verification of registration, the
662 supervisor shall issue the voter a duplicate card without
663 charge.

664 (3) In the case of a change of name, address, or party
665 affiliation, the supervisor shall ~~must~~ issue the voter a new
666 voter information ~~registration identification~~ card. However, a
667 voter information ~~registration identification~~ card indicating a
668 party affiliation change made between the book-closing date for
669 the first primary election and the date of the second primary
670 election may not be issued until after the second primary
671 election.

672 Section 13. Section 97.073, Florida Statutes, is amended
673 to read:

674 97.073 Disposition of voter registration applications;
675 cancellation notice.--

676 (1) The supervisor must notify each applicant of the
677 disposition of the applicant's voter registration application.
678 The notice must inform the applicant that the application has
679 been approved, is incomplete, has been denied, or is a duplicate
680 of a current registration. A voter information ~~registration~~
681 ~~identification~~ card sent to an applicant constitutes notice of
682 approval of registration. If the application is incomplete, the

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683 supervisor must request that the applicant supply the missing
684 information using a voter registration application signed by the
685 applicant in writing and sign a statement that the additional
686 information is true and correct. A notice of denial must inform
687 the applicant of the reason the application was denied.

688 (2) Within 2 weeks after approval of a voter registration
689 application that indicates that the applicant was previously
690 registered in another state jurisdiction, the department
691 supervisor must notify the registration official in the prior
692 state jurisdiction that the applicant is now registered in this
693 state the supervisor's county.

694 Section 14. Section 97.1031, Florida Statutes, is amended
695 to read:

696 97.1031 Notice of change of residence ~~within the same~~
697 ~~county~~, change of name, or change of party affiliation.--

698 (1) When an elector moves from the address named on that
699 person's voter registration record to another address within the
700 same county, the elector must provide notification of such move
701 to the supervisor of elections of that county. The elector may
702 provide the supervisor a signed, written notice or may notify
703 the supervisor by telephone or electronic means. However,
704 notification of such move other than by signed, written notice
705 must include the elector's date of birth. An elector may also
706 provide notification to other voter registration officials as
707 provided in subsection (2). A voter information registration
708 ~~identification~~ card reflecting the new information ~~address of~~

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709 ~~legal residence~~ shall be issued to the elector as provided in
710 subsection ~~(3)(4)~~.

711 (2) When an elector moves from the address named on that
712 person's voter registration record to another address in a
713 different county but within the state, the elector seeks to
714 change party affiliation, or the name of an elector is changed
715 by marriage or other legal process, the elector shall ~~must~~
716 provide notice ~~a signed, written notification~~ of such change to
717 a voter registration official using a voter registration
718 application signed by the elector. A voter information the
719 ~~supervisor and obtain a registration identification card~~
720 reflecting the new information shall be issued to the elector as
721 provided in subsection (3) name.

722 ~~(3) When an elector seeks to change party affiliation, the~~
723 ~~elector must provide a signed, written notification of such~~
724 ~~intent to the supervisor and obtain a registration~~
725 ~~identification card reflecting the new party affiliation,~~
726 ~~subject to the issuance restriction in s. 97.071(3).~~

727 ~~(3)(4)~~ The voter registration official ~~supervisor~~ shall
728 make the necessary changes in the elector's records as soon as
729 practical upon receipt of such notice of a change of address of
730 legal residence, name, or party affiliation. The supervisor of
731 elections ~~and shall issue the new voter information registration~~
732 ~~identification card as required by s. 97.071(3).~~

733 Section 15. Section 97.105, Florida Statutes, is amended
734 to read:

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735 97.105 Permanent single registration system
736 established.--A permanent single registration system for the
737 registration of electors to qualify them to vote in all
738 elections is provided for the several counties and
739 municipalities. This system shall be put into use by all
740 municipalities and shall be in lieu of any other system of
741 municipal registration. Electors shall be registered pursuant to
742 in pursuance of this system by a voter registration official ~~the~~
743 ~~supervisor or by a deputy supervisor~~, and electors registered
744 shall not thereafter be required to register or reregister
745 except as provided by law.

746 Section 16. Subsections (3), (10), and (11) of section
747 98.015, Florida Statutes, are amended, and subsection (12) is
748 added to said section, to read:

749 98.015 Supervisor of elections; election, tenure of
750 office, compensation, custody of books, office hours, successor,
751 seal; appointment of deputy supervisors; duties.--

752 (3) The supervisor shall update voter registration
753 information, enter new voter registrations into the statewide
754 voter registration system, and act as is the official custodian
755 of documents received by the supervisor related to the
756 registration of electors and changes in voter registration
757 status of electors of the supervisor's county ~~the registration~~
758 ~~books and has the exclusive control of matters pertaining to~~
759 ~~registration of electors.~~

760 (10) Each supervisor shall ~~must~~ ensure that all voter
761 registration and list maintenance procedures conducted by such

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762 supervisor are in compliance with any applicable requirements
763 prescribed by rule of the department through the statewide voter
764 registration system or prescribed by ~~for that county under the~~
765 Voting Rights Act of 1965, the National Voter Registration Act
766 of 1993, or the Help America Vote Act of 2002.

767 (11) Each supervisor shall ensure that any voter
768 registration system used by the supervisor for administering his
769 or her duties as a voter registration official complies with the
770 specifications and procedures established by rule of the
771 department and the statewide voter registration system ~~Each~~
772 ~~supervisor of elections shall forward to the property appraiser~~
773 ~~for the county in which the homestead is claimed the name of the~~
774 ~~person and the address of the homestead of each person who~~
775 ~~registers to vote at an address other than that at which the~~
776 ~~person claims a homestead exemption, as disclosed on the uniform~~
777 ~~statewide voter registration application pursuant to s. 97.052.~~

778 (12) Each supervisor shall maintain a list of valid
779 residential street addresses for purposes of verifying the legal
780 addresses of voters residing in the supervisor's county. The
781 supervisor shall make all reasonable efforts to coordinate with
782 county 911 service providers, property appraisers, the United
783 States Postal Service, or other agencies as necessary to ensure
784 the continued accuracy of such list. The supervisor shall
785 provide the list of valid residential addresses to the statewide
786 voter registration system in the manner and frequency specified
787 by rule of the department.

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788 Section 17. Section 98.035, Florida Statutes, is created
789 to read:

790 98.035 Statewide voter registration system;
791 implementation, operation, and maintenance.--

792 (1) The Secretary of State, as chief election officer of
793 the state, shall be responsible for implementing, operating, and
794 maintaining, in a uniform and nondiscriminatory manner, a
795 single, uniform, official, centralized, interactive,
796 computerized statewide voter registration system as required by
797 the Help America Vote Act of 2002. The department may adopt
798 rules to administer this section.

799 (2) The statewide voter registration system must contain
800 the name and registration information of every legally
801 registered voter in the state. All voters shall be assigned a
802 unique identifier. The system shall be the official list of
803 registered voters in the state and shall provide secured access
804 by authorized voter registration officials. The system shall
805 enable voter registration officials to provide, access, and
806 update voter registration information.

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

809 (4) The implementation of the statewide voter registration
810 system shall not prevent any supervisor of elections from
811 acquiring, maintaining, or using any hardware or software
812 necessary or desirable to carry out the supervisor's
813 responsibilities related to the use of voter registration
814 information or the conduct of elections, provided that such

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815 hardware or software does not conflict with the operation of the
816 statewide voter registration system.

817 (5) The department may adopt rules governing the access,
818 use, and operation of the statewide voter registration system to
819 ensure security, uniformity, and integrity of the system.

820 Section 18. Section 98.045, Florida Statutes, is amended
821 to read:

822 98.045 Administration of voter registration.--

823 (1) ELIGIBILITY OF APPLICANT.--The ~~Each~~ supervisor must
824 ensure that any eligible applicant for voter registration is
825 registered to vote and that each application for voter
826 registration is processed in accordance with law. The supervisor
827 shall determine whether a voter registration applicant is
828 ineligible based on any of the following:

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

831 (b) The applicant is deceased.

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

834 (d) The applicant has been adjudicated mentally
835 incapacitated with respect to the right to vote and such right
836 has not been restored.

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

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

840 (g) The applicant is a fictitious person.

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

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

846 (2) REMOVAL OF REGISTERED VOTERS.--

847 (a) Once a voter is registered, the name of that voter may
848 not be removed from the statewide voter registration system
849 books except at the written request of the voter, by reason of
850 the voter's conviction of a felony or adjudication as mentally
851 incapacitated with respect to voting, by death of the voter, or
852 pursuant to a registration list maintenance program or other
853 registration list maintenance activity conducted pursuant to s.
854 98.065 or, s. 98.075, or s. 98.0977.

855 (b)(2) Information received by a voter registration
856 official supervisor from an election official in another state
857 jurisdiction indicating that a registered voter in this state
858 the supervisor's county has registered to vote in that other
859 state jurisdiction shall be considered as a written request from
860 the voter to have the voter's name removed from the statewide
861 voter registration system books of the supervisor's county.

862 (3) PUBLIC RECORDS ACCESS AND RETENTION.--Notwithstanding
863 the provisions of ss. 98.095 and 98.0977, Each supervisor shall
864 maintain for at least 2 years, and make available for public
865 inspection and copying, all records concerning implementation of
866 registration list maintenance programs and activities conducted
867 pursuant to ss. 98.065 and, 98.075, and 98.0977. The records

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868 must include lists of the name and address of each person to
869 whom ~~a an address confirmation final~~ notice was sent and
870 information as to whether each such person responded to the
871 mailing, but may not include any information that is
872 confidential or exempt from public records requirements under
873 this code.

874 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
875 STREET ADDRESSES.--

876 (a) The department shall compile and maintain a statewide
877 electronic database of valid residential street addresses from
878 the information provided by the supervisors of elections
879 pursuant to s. 98.015. The department shall evaluate the
880 information provided by the supervisors of elections to identify
881 any duplicate addresses and any address that may overlap county
882 boundaries.

883 (b) The department shall make the statewide database of
884 valid street addresses available to the Department of Highway
885 Safety and Motor Vehicles as provided in s. 97.057(10). The
886 Department of Highway Safety and Motor Vehicles shall use the
887 database for purposes of validating the legal residential
888 addresses provided in voter registration applications received
889 by the Department of Highway Safety and Motor Vehicles.

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

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893 Section 19. Section 98.065, Florida Statutes, as amended
894 by section 6 of chapter 2002-281, Laws of Florida, is amended to
895 read:

896 98.065 Registration list maintenance programs.--

897 (1) The supervisor must conduct a general registration
898 list maintenance program to protect the integrity of the
899 electoral process by ensuring the maintenance of accurate and
900 current voter registration records in the statewide voter
901 registration system. The program must be uniform,
902 nondiscriminatory, and in compliance with the Voting Rights Act
903 of 1965, the National Voter Registration Act of 1993, and the
904 Help America Vote Act of 2002. As used in this subsection, the
905 term "nondiscriminatory" applies to and includes persons with
906 disabilities.

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

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

913 (b) Change-of-address information is identified from
914 returned nonforwardable return-if-undeliverable mail sent to all
915 registered voters in the county; or

916 (c) Change-of-address information is identified from
917 returned nonforwardable return-if-undeliverable address
918 confirmation requests mailed to all registered voters who have
919 not voted in the last 2 years and who did not make a written

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920 request that their registration records be updated during that
921 time.

922 (3) A registration list maintenance program must be
923 conducted by each supervisor, at a minimum, in each odd-numbered
924 year and must be completed not later than 90 days prior to the
925 date of any federal election. All list maintenance actions
926 associated with each voter must be entered, tracked, and
927 maintained in the statewide voter registration system.

928 (4)(a) If the supervisor receives change-of-address
929 information pursuant to the activities conducted in subsection
930 (2), from jury notices signed by the voter and returned to the
931 courts, from the Department of Highway Safety and Motor
932 Vehicles, or from other sources, which information indicates
933 that the legal address of a registered voter might have changed,
934 the supervisor shall send by forwardable return-if-undeliverable
935 mail an address confirmation notice to the address at which the
936 voter was last registered. A supervisor may also send an address
937 confirmation notice to any voter who the supervisor has reason
938 to believe has moved from his or her legal residence.

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

941 1. If the voter has changed his or her address of legal
942 residence to a location outside the state, the voter shall mark
943 that the voter's legal residence has changed to a location
944 outside the state. The form shall also include information on
945 how to register in the new state in order to be eligible to
946 vote. The form must be returned within 30 days after the date of

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947 the notice. The completed form shall constitute a request to be
948 removed from the statewide voter registration system.

949 2. If the voter has changed his or her address of legal
950 residence to a location inside the state, the voter shall set
951 forth the updated or corrected address and submit the return
952 form within 30 days after the date of the notice. The completed
953 form shall constitute a request to update the statewide voter
954 registration system with the updated or corrected address
955 information.

956 3. If the voter has not changed his or her address of
957 legal residence as printed on the address confirmation notice,
958 the voter shall confirm that his or her address of legal
959 residence has not changed and submit the form within 30 days
960 after the date of the notice.

961 (c) The supervisor must designate as inactive all voters
962 who have been sent an address confirmation notice and who have
963 not returned the postage prepaid preaddressed return form within
964 30 days or for which an address confirmation notice has been
965 returned as undeliverable. Names on the inactive list may not be
966 used to calculate the number of signatures needed on any
967 petition. A voter on the inactive list may be restored to the
968 active list of voters upon the voter updating his or her
969 registration, requesting an absentee ballot, or appearing to
970 vote. However, if the voter does not update his or her voter
971 registration information, request an absentee ballot, or vote by
972 the second general election after being placed on the inactive
973 list, the voter's name shall be removed from the statewide voter

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974 registration system and the voter shall be required to
975 reregister to have his or her name restored to the statewide
976 voter registration system.

977 (5) A notice may not be issued pursuant to this section
978 and a voter's name may not be removed from the statewide voter
979 registration system later than 90 days prior to the date of a
980 federal election. However, this section does not preclude the
981 removal of the name of a voter from the statewide voter
982 registration system at any time upon the voter's written
983 request, by reason of the voter's death, or upon a determination
984 of the voter's ineligibility as provided in s. 98.075(7).

985 (6)(a) No later than July 31 and January 31 of each year,
986 the supervisor must certify to the department the list
987 maintenance activities conducted during the first 6 months and
988 the second 6 months of the year, respectively, including the
989 number of address confirmation requests sent, the number of
990 voters designated as inactive, and the number of voters removed
991 from the statewide voter registration system.

992 (b) If, based on the certification provided pursuant to
993 paragraph (a), the department determines that a supervisor has
994 not conducted the list maintenance activities required by this
995 section, the department shall conduct the appropriate list
996 maintenance activities for that county. Failure to conduct list
997 maintenance activities as required in this section constitutes a
998 violation of s. 104.051. A voter's name may not be removed from
999 the registration books later than 90 days prior to the date of a
1000 federal election. However, nothing in this section shall

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1001 ~~preclude the removal of the name of a voter from the voter~~
1002 ~~registration books, at any time and without prior notification,~~
1003 ~~upon the written request of the voter, by reason of conviction~~
1004 ~~of the voter of a felony, by reason of adjudication of the voter~~
1005 ~~as mentally incapacitated with respect to voting, by reason of~~
1006 ~~the death of the voter, or upon a determination of ineligibility~~
1007 ~~as provided in s. 98.075(3).~~

1008 ~~(4) If the supervisor receives change of address~~
1009 ~~information from the United States Postal Service or its~~
1010 ~~licensees or from jury notices signed by the voter and returned~~
1011 ~~to the courts, which indicates that:~~

1012 ~~(a) The voter has moved within the supervisor's county,~~
1013 ~~the supervisor must change the registration records to show the~~
1014 ~~new address and must send the voter a notice of the change by~~
1015 ~~forwardable mail, including a postage prepaid preaddressed~~
1016 ~~return form with which the voter may verify or correct the~~
1017 ~~address information.~~

1018 ~~(b) The voter has moved outside the supervisor's county,~~
1019 ~~or contains no forwarding address, the supervisor shall send an~~
1020 ~~address confirmation final notice and remove the name of the~~
1021 ~~voter from the registration record if that voter did not:~~

- 1022 ~~1. Return the postage prepaid preaddressed return form;~~
- 1023 ~~2. Appear to vote;~~
- 1024 ~~3. Change the voter's registration; or~~
- 1025 ~~4. Request an absentee ballot~~

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1027 ~~during the period beginning on the date when the address~~
1028 ~~confirmation final notice was sent and ending on the day after~~
1029 ~~the date of the second general election thereafter.~~

1030 ~~(5) The supervisor must designate as inactive all voters~~
1031 ~~who have been sent an address confirmation final notice and who~~
1032 ~~have not returned the postage prepaid preaddressed return form~~
1033 ~~within 30 days. A voter on the inactive list must be allowed to~~
1034 ~~vote and to change the voter's name or address of legal~~
1035 ~~residence at the polls pursuant to s. 101.045. Names on the~~
1036 ~~inactive list may not be used to calculate the number of~~
1037 ~~signatures needed on any petition or the quantity of voting~~
1038 ~~equipment needed.~~

1039 Section 20. Section 98.075, Florida Statutes, is amended
1040 to read:

1041 (Substantial rewording of section. See
1042 s. 98.075, F.S., for present text.)

1043 98.075 Registration records maintenance activities;
1044 ineligibility determinations.--

1045 (1) MAINTENANCE OF RECORDS.--The department shall protect
1046 the integrity of the electoral process by ensuring the
1047 maintenance of accurate and current voter registration records.
1048 List maintenance activities must be uniform, nondiscriminatory,
1049 and in compliance with the Voting Rights Act of 1965, the
1050 National Voter Registration Act of 1993, and the Help America
1051 Vote Act of 2002. The department may adopt by rule uniform
1052 standards and procedures to interpret and administer this
1053 section.

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1054 (2) DUPLICATE REGISTRATION.--The department shall identify
1055 those voters who are registered more than once or those
1056 applicants whose registration applications would result in
1057 duplicate registrations. The most recent application shall be
1058 deemed an update to the voter registration record.

1059 (3) DECEASED PERSONS.--The department shall identify those
1060 registered voters who are deceased by comparing information on
1061 the lists of deceased persons received from the Department of
1062 Health as provided in s. 98.093. Upon receipt of such
1063 information through the statewide voter registration system, the
1064 supervisor shall remove the name of the registered voter.

1065 (4) ADJUDICATION OF MENTAL INCAPACITY.--The department
1066 shall identify those registered voters who have been adjudicated
1067 mentally incapacitated with respect to voting and who have not
1068 had their voting rights restored by comparing information
1069 received from the clerk of the circuit court as provided in s.
1070 98.093. The department shall review such information and make an
1071 initial determination as to whether the information is credible
1072 and reliable. If the department determines that the information
1073 is credible and reliable, the department shall notify the
1074 supervisor and provide a copy of the supporting documentation
1075 indicating the potential ineligibility of the voter to be
1076 registered. Upon receipt of the notice that the department has
1077 made a determination of initial credibility and reliability, the
1078 supervisor shall adhere to the procedures set forth in
1079 subsection (7) prior to the removal of a registered voter from
1080 the statewide voter registration system.

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1081 (5) FELONY CONVICTION.--The department shall identify
1082 those registered voters who have been convicted of a felony and
1083 whose rights have not been restored by comparing information
1084 received from, but not limited to, a clerk of the circuit court,
1085 the Board of Executive Clemency, the Department of Corrections,
1086 the Department of Law Enforcement, or a United States Attorney's
1087 Office, as provided in s. 98.093. The department shall review
1088 such information and make an initial determination as to whether
1089 the information is credible and reliable. If the department
1090 determines that the information is credible and reliable, the
1091 department shall notify the supervisor and provide a copy of the
1092 supporting documentation indicating the potential ineligibility
1093 of the voter to be registered. Upon receipt of the notice that
1094 the department has made a determination of initial credibility
1095 and reliability, the supervisor shall adhere to the procedures
1096 set forth in subsection (7) prior to the removal of a registered
1097 voter's name from the statewide voter registration system.

1098 (6) OTHER BASES FOR INELIGIBILITY.--If the department or
1099 supervisor receives information other than from the sources
1100 identified in subsections (2)-(5) that a registered voter does
1101 not meet the age requirement pursuant to s. 97.041, is not a
1102 United States citizen, is a fictitious person, or has listed a
1103 residence that is not his or her legal residence, the supervisor
1104 shall adhere to the procedures set forth in subsection (7) prior
1105 to the removal of a registered voter's name from the statewide
1106 voter registration system.

1107 (7) PROCEDURES FOR REMOVAL.--

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1108 (a) If the supervisor receives notice or information
1109 pursuant to subsections (4)-(6), the supervisor of the county in
1110 which the voter is registered shall:

1111 1. Notify the registered voter of his or her potential
1112 ineligibility by mail within 7 days after receipt of notice or
1113 information. The notice shall include:

1114 a. A statement of the basis for the registered voter's
1115 potential ineligibility and a copy of any documentation upon
1116 which the potential ineligibility is based.

1117 b. A statement that failure to respond within 30 days
1118 after receipt of the notice may result in a determination of
1119 ineligibility and in removal of the registered voter's name from
1120 the statewide voter registration system.

1121 c. A return form that requires the registered voter to
1122 admit or deny the accuracy of the information underlying the
1123 potential ineligibility for purposes of a final determination by
1124 the supervisor.

1125 d. A statement that, if the voter is denying the accuracy
1126 of the information underlying the potential ineligibility, the
1127 voter has a right to request a hearing for the purpose of
1128 determining eligibility.

1129 e. Instructions for the registered voter to contact the
1130 supervisor of elections of the county in which the voter is
1131 registered if assistance is needed in resolving the matter.

1132 f. Instructions for seeking restoration of civil rights
1133 following a felony conviction, if applicable.

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1134 2. If the mailed notice is returned as undeliverable, the
1135 supervisor shall publish notice once in a newspaper of general
1136 circulation in the county in which the voter was last
1137 registered. The notice shall contain the following:

1138 a. The voter's name and address.

1139 b. A statement that the voter is potentially ineligible to
1140 be registered to vote.

1141 c. A statement that failure to respond within 30 days
1142 after the notice is published may result in a determination of
1143 ineligibility by the supervisor and removal of the registered
1144 voter's name from the statewide voter registration system.

1145 d. An instruction for the voter to contact the supervisor
1146 no later than 30 days after the date of the published notice to
1147 receive information regarding the basis for the potential
1148 ineligibility and the procedure to resolve the matter.

1149 e. An instruction to the voter that, if further assistance
1150 is needed, the voter should contact the supervisor of elections
1151 of the county in which the voter is registered.

1152 3. If a registered voter fails to respond to a notice
1153 pursuant to subparagraph 1. or subparagraph 2., the supervisor
1154 shall make a final determination of the voter's eligibility. If
1155 the supervisor determines that the voter is ineligible, the
1156 supervisor shall remove the name of the registered voter from
1157 the statewide voter registration system. The supervisor shall
1158 notify the registered voter of the supervisor's determination
1159 and action.

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1160 4. If a registered voter responds to the notice pursuant
1161 to subparagraph 1. or subparagraph 2. and admits the accuracy of
1162 the information underlying the potential ineligibility, the
1163 supervisor shall make a final determination of ineligibility and
1164 shall remove the voter's name from the statewide voter
1165 registration system. The supervisor shall notify the registered
1166 voter of the supervisor's determination and action.

1167 5. If a registered voter responds to the notice issued
1168 pursuant to subparagraph 1. or subparagraph 2. and denies the
1169 accuracy of the information underlying the potential
1170 ineligibility but does not request a hearing, the supervisor
1171 shall review the evidence and make a final determination of
1172 eligibility. If such registered voter requests a hearing, the
1173 supervisor shall send notice to the registered voter to attend a
1174 hearing at a time and place specified in the notice. Upon
1175 hearing all evidence presented at the hearing, the supervisor
1176 shall make a determination of eligibility. If the supervisor
1177 determines that the registered voter is ineligible, the
1178 supervisor shall remove the voter's name from the statewide
1179 voter registration system and notify the registered voter of the
1180 supervisor's determination and action.

1181 (b) The following shall apply to this subsection:

1182 1. All determinations of eligibility shall be based on a
1183 preponderance of the evidence.

1184 2. All proceedings are exempt from the provisions of
1185 chapter 120.

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1186 3. Any notice shall be sent to the registered voter by
1187 certified mail, return receipt requested, or other means that
1188 provides a verification of receipt or shall be published in a
1189 newspaper of general circulation where the voter was last
1190 registered, whichever is applicable.

1191 4. The supervisor shall remove the name of any registered
1192 voter from the statewide voter registration system only after
1193 the supervisor makes a final determination that the voter is
1194 ineligible to vote.

1195 5. Any voter whose name has been removed from the
1196 statewide voter registration system pursuant to a determination
1197 of ineligibility may appeal that determination under the
1198 provisions of s. 98.0755.

1199 6. Any voter whose name was removed from the statewide
1200 voter registration system on the basis of a determination of
1201 ineligibility who subsequently becomes eligible to vote must
1202 reregister in order to have his or her name restored to the
1203 statewide voter registration system.

1204 (8) CERTIFICATION.--

1205 (a) No later than July 31 and January 31 of each year, the
1206 supervisor shall certify to the department the activities
1207 conducted pursuant to this section during the first 6 months and
1208 the second 6 months of the year, respectively. The certification
1209 shall include the number of persons to whom notices were sent
1210 pursuant to subsection (7), the number of persons who responded
1211 to the notices, the number of notices returned as undeliverable,
1212 the number of notices published in the newspaper, the number of

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1213 hearings conducted, and the number of persons removed from the
1214 statewide voter registration systems and the reasons for such
1215 removals.

1216 (b) If, based on the certification provided pursuant to
1217 paragraph (a), the department determines that a supervisor has
1218 not satisfied the requirements of this section, the department
1219 shall satisfy the appropriate requirements for that county.
1220 Failure to satisfy the requirements of this section shall
1221 constitute a violation of s. 104.051.

1222 Section 21. Section 98.0755, Florida Statutes, is created
1223 to read:

1224 98.0755 Appeal of determination of ineligibility.--Appeal
1225 of the supervisor's determination of ineligibility pursuant to
1226 s. 98.075(7) may be taken to the circuit court in and for the
1227 county where the person was registered. Notice of appeal must be
1228 filed within the time and in the manner provided by the Florida
1229 Rules of Appellate Procedure and acts as supersedeas. Trial in
1230 the circuit court is de novo and governed by the rules of that
1231 court. Unless the person can show that his or her name was
1232 erroneously or illegally removed from the statewide voter
1233 registration system, or that he or she is indigent, the person
1234 must bear the costs of the trial in the circuit court.
1235 Otherwise, the cost of the appeal must be paid by the supervisor
1236 of elections.

1237 Section 22. Section 98.077, Florida Statutes, is amended
1238 to read:

1239 98.077 Update of voter signature.--

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1240 (1) A registered voter may update his or her signature on
1241 file in the statewide voter registration system at any time
1242 using a voter registration application submitted to a voter
1243 registration official.

1244 (2) The department and supervisors ~~supervisor~~ of elections
1245 shall include in any correspondence, other than postcard
1246 notifications and notices relating to eligibility, sent to a
1247 ~~provide to each~~ registered voter information regarding ~~of the~~
1248 ~~county the opportunity to update his or her signature on file at~~
1249 ~~the supervisor's office by providing notification of the ability~~
1250 ~~to do so in any correspondence, other than postcard~~
1251 ~~notifications, sent to the voter. The notice shall advise when,~~
1252 ~~where, and how to update the voter's signature and shall provide~~
1253 ~~the voter information on how to obtain a voter registration~~
1254 application form from a voter registration official the
1255 ~~supervisor~~ that can be returned to update the signature.

1256 (3) In addition, At least once during each general
1257 election year, the supervisor shall publish in a newspaper of
1258 general circulation or other newspaper in the county deemed
1259 appropriate by the supervisor a notice specifying when, where,
1260 or how a voter can update his or her signature that is on file
1261 and ~~or~~ how a voter can obtain a voter registration application
1262 ~~form~~ from a voter registration official the supervisor to do so.

1263 (4) All signature updates for use in verifying absentee
1264 and provisional ballots must be received by the appropriate
1265 supervisor of elections no later than the start of the
1266 canvassing of absentee ballots by the canvassing board. The

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1267 signature on file at the start of the canvass of the absentees
1268 is the signature that shall be used in verifying the signature
1269 on the absentee and provisional ballot certificates.

1270 Section 23. Section 98.081, Florida Statutes, is amended
1271 to read:

1272 98.081 Names removed from the statewide voter registration
1273 system books; restrictions on reregistering; recordkeeping;
1274 restoration of erroneously or illegally removed names.--

1275 (1) Any person who requested that his or her name be
1276 removed from the statewide voter registration system books
1277 between the book-closing date of the first primary and the date
1278 of the second primary may not register in a different political
1279 party until after the date of the second primary election.

1280 (2) When the name of any elector is removed from the
1281 statewide voter registration system books pursuant to s. 98.065
1282 or, s. 98.075, ~~or s. 98.093~~, the elector's original registration
1283 application form shall be retained by the supervisor of
1284 elections having custody of the application filed alphabetically
1285 ~~in the office of the supervisor~~. As alternatives, registrations
1286 removed from the statewide voter registration system books may
1287 be microfilmed and such microfilms substituted for the original
1288 registration applications forms; or, when voter registration
1289 information, including the voter's signature, is maintained
1290 digitally or on electronic, magnetic, or optic media, such
1291 stored information may be substituted for the original
1292 registration application form. Such microfilms or stored
1293 information shall be retained by the supervisor of elections

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1294 ~~having in the custody of the supervisor.~~ In the event the
1295 original registration applications ~~forms~~ are microfilmed or
1296 maintained digitally or on electronic or other media, such
1297 originals may be destroyed in accordance with the schedule
1298 approved by the Bureau of Archives and Records Management of the
1299 Division of Library and Information Services of the department.

1300 (3) When the name of any elector has been erroneously or
1301 illegally removed from the statewide voter registration system
1302 ~~books~~, the name of the elector shall be restored by a voter
1303 registration official ~~the supervisor~~ upon satisfactory proof,
1304 even though the registration period for that election is closed.

1305 Section 24. Section 98.093, Florida Statutes, is amended
1306 to read:

1307 98.093 Duty of officials to furnish lists of deceased
1308 persons, persons adjudicated mentally incapacitated, and persons
1309 convicted of a felony.--

1310 (1) In order to ensure the maintenance of accurate and
1311 current voter registration records, it is necessary for the
1312 department to receive certain information from state and federal
1313 officials and entities. The department and supervisors of
1314 elections shall use the information provided from the sources in
1315 subsection (2) to maintain the voter registration records.

1316 (2) To the maximum extent feasible, state and local
1317 government agencies shall facilitate provision of information
1318 and access to data to the department, including, but not limited
1319 to, databases that contain reliable criminal records and records
1320 of deceased persons. State and local government agencies that

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1321 provide such data shall do so without charge if the direct cost
1322 incurred by those agencies is not significant.

1323 (a) The Department of Health shall furnish monthly to the
1324 department each supervisor of elections a list containing the
1325 name, address, date of birth, date of death, social security
1326 number, race, and sex of each deceased person 17 years of age or
1327 older who was a resident of such supervisor's county.

1328 (b)(2) Each clerk of the circuit court shall furnish
1329 monthly to the department, at least once each month, deliver to
1330 each supervisor of elections a list of those persons who have
1331 been adjudicated mentally incapacitated with respect to voting
1332 during the preceding calendar month, a list of those persons
1333 whose mental capacity with respect to voting has been restored
1334 during the preceding calendar month, and a list of those persons
1335 who have returned signed jury notices during the preceding
1336 months to the clerk of the circuit court indicating a change of
1337 address. Each list shall include stating the name, address, date
1338 of birth, race, and sex, and, whichever is available, the
1339 Florida driver's license number, Florida identification card
1340 number, or social security number of each such person convicted
1341 of a felony during the preceding calendar month who was a
1342 resident of that supervisor's county, a list stating the name,
1343 address, date of birth, race, and sex of each person adjudicated
1344 mentally incapacitated with respect to voting during the
1345 preceding calendar month who was a resident of that supervisor's
1346 county, and a list stating the name, address, date of birth,
1347 race, and sex of each person whose mental capacity with respect

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1348 ~~to voting has been restored who was a resident of that~~
1349 ~~supervisor's county.~~

1350 (c)(3) Upon receipt of information from the United States
1351 Attorney, listing persons convicted of a felony in federal
1352 court, the department shall use such information to identify
1353 registered voters or applicants for voter registration who may
1354 be potentially ineligible based on information provided in
1355 accordance with s. 98.075 immediately forward such information
1356 ~~to the supervisor of elections for the county where the offender~~
1357 ~~resides.~~

1358 (d) The Department of Law Enforcement shall furnish
1359 monthly to the department a list of those persons who have been
1360 convicted of a felony in the preceding month or any updates to
1361 prior records that have occurred in the preceding month. The
1362 list shall contain the name, address, date of birth, race, sex,
1363 date of conviction, county of conviction, and social security
1364 number and a unique identifier of each conviction of each
1365 person.

1366 (e) The Board of Executive Clemency shall furnish monthly
1367 to the department a list of those persons granted clemency in
1368 the preceding month or any updates to prior records that have
1369 occurred in the preceding month. The list shall contain the
1370 Board of Executive Clemency case number, name, address, date of
1371 birth, race, sex, social security number, if available, and
1372 references to record identifiers assigned by the Department of
1373 Corrections, a unique identifier of each clemency case, and the
1374 effective date of clemency of each person.

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1375 (f) The Department of Corrections shall furnish monthly to
1376 the department a list of those persons transferred to the
1377 Department of Corrections in the preceding month or any updates
1378 to prior records that have occurred in the preceding month. The
1379 list shall contain the name, address, date of birth, race, sex,
1380 social security number, Department of Corrections record
1381 identification number, and associated Department of Law
1382 Enforcement felony conviction record number of each person.

1383 (g) The Department of Highway Safety and Motor Vehicles
1384 shall furnish monthly to the department a list of those persons
1385 whose names have been removed from the driver's license database
1386 because they have been licensed in another state. The list shall
1387 contain the name, address, date of birth, sex, social security
1388 number, and driver's license number of each such person.

1389 ~~(4) Upon receipt of any such list, the supervisor shall~~
1390 ~~remove from the registration books the name of any person listed~~
1391 ~~who is deceased, convicted of a felony, or adjudicated mentally~~
1392 ~~incapacitated with respect to voting. A person who has had his~~
1393 ~~or her mental capacity with respect to voting restored or who~~
1394 ~~has had his or her right to vote restored after conviction of a~~
1395 ~~felony shall be required to reregister to have his or her name~~
1396 ~~restored to the registration books.~~

1397 (3)(5) Nothing in this section shall limit or restrict the
1398 supervisor in his or her duty to remove the names of such
1399 persons from the statewide voter registration system pursuant to
1400 s. 98.075(7) based upon books after verification of information
1401 received from other sources.

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1402 Section 25. Effective August 1, 2006, section 98.0981,
1403 Florida Statutes, is created to read:

1404 98.0981 Statewide voter registration database.--The
1405 department shall send to the Legislature in electronic format a
1406 file containing all voters qualified to vote in an election. The
1407 file shall contain a unique identifier of the voter; the
1408 information requested in the uniform statewide voter
1409 registration application pursuant to s. 97.052(2), except for
1410 such information that is by statute specifically identified as
1411 confidential or exempt from public records requirements; the
1412 date of registration; the representative district, senatorial
1413 district, congressional district, and precinct in which the
1414 voter resides; and whether the voter voted at the poll, by
1415 absentee ballot, or by early vote at a designated location, or
1416 whether the voter did not vote. If a person voted by absentee
1417 ballot and the ballot was not counted, the file shall contain
1418 the reason, where possible, that the ballot was not counted.
1419 This file shall be delivered within 60 days after an election to
1420 the Legislature.

1421 Section 26. Section 98.212, Florida Statutes, is amended
1422 to read:

1423 98.212 Department and supervisors to furnish statistical
1424 and other information.--

1425 (1)(a) Upon written request, the department and any
1426 supervisor of the respective counties ~~supervisors~~ shall, as
1427 promptly as possible, furnish to recognized public or private
1428 universities and senior colleges within the state, to state or

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1429 county governmental agencies, and to recognized political party
1430 committees statistical information for the purpose of analyzing
1431 election returns and results.

1432 (b) The department and any supervisor ~~Supervisors~~ may
1433 require reimbursement for any part or all of the actual expenses
1434 of supplying any information requested under paragraph (a). For
1435 the purposes of this subsection, the department and supervisors
1436 may use the services of any research and statistical personnel
1437 that may be supplied.

1438 (c) Lists of names submitted to the department and any
1439 supervisor of the respective counties ~~supervisors~~ for indication
1440 of registration or nonregistration or of party affiliation shall
1441 be processed at any time at cost, except that in no case shall
1442 the charge exceed 10 cents for each name on which the
1443 information is furnished.

1444 (2) The supervisors shall provide information as requested
1445 by the department for program evaluation and reporting to the
1446 ~~Federal~~ Election Assistance Commission pursuant to federal law
1447 ~~the National Voter Registration Act of 1993.~~

1448 Section 27. Section 98.461, Florida Statutes, is amended
1449 to read:

1450 98.461 Registration application form, precinct register;
1451 contents.--

1452 (1) A registration application form, approved by the
1453 Department of State, containing the information required in s.
1454 97.052 shall be retained by the supervisor of elections of the
1455 county of the applicant's registration ~~filed alphabetically in~~

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1456 | ~~the office of the supervisor as the master list of electors of~~
1457 | ~~the county.~~ However, the registration application forms may be
1458 | microfilmed and such microfilm ~~microfilms~~ substituted for the
1459 | original registration application forms; or, when voter
1460 | registration information, including the voter's signature, is
1461 | maintained digitally or on electronic, magnetic, or optic media,
1462 | such stored information may be substituted for the original
1463 | registration application form. Such microfilms or stored
1464 | information shall be retained in the custody of the supervisor
1465 | of elections of the county of the applicant's registration. In
1466 | the event the original registration applications forms are
1467 | microfilmed or maintained digitally or on electronic or other
1468 | media, such originals may be destroyed in accordance with the
1469 | schedule approved by the Bureau of Archives and Records
1470 | Management of the Division of Library and Information Services
1471 | of the Department of State. ~~As an alternative, the information~~
1472 | ~~from the registration form, including the signature, may be~~
1473 | ~~electronically reproduced and stored as provided in s. 98.451.~~

1474 | (2) A computer printout or electronic database shall be
1475 | used at the polls as a precinct register ~~in lieu of the~~
1476 | ~~registration books~~. The precinct register shall contain the date
1477 | of the election, the precinct number, and the following
1478 | information concerning each registered elector: last name, first
1479 | name, ~~and~~ middle name or initial, and suffix; party affiliation;
1480 | residence address; registration number; date of birth; sex, if
1481 | provided; race, if provided; whether the voter needs assistance
1482 | in voting; and such other additional information as to readily

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1483 identify the elector. The precinct register shall also contain a
1484 space for the elector's signature and a space for the initials
1485 of the witnessing clerk or inspector or an electronic device may
1486 be provided for this purpose.

1487 Section 28. Effective January 1, 2007, section 100.371,
1488 Florida Statutes, as amended by section 9 of chapter 2002-281,
1489 Laws of Florida, is amended to read:

1490 100.371 Initiatives; procedure for placement on ballot.--

1491 (1) Constitutional amendments proposed by initiative shall
1492 be placed on the ballot for the general election provided the
1493 initiative has been filed with ~~occurring in excess of 90 days~~
1494 ~~from the certification of ballot position by the Secretary of~~
1495 ~~State no later than February 1 of the year the general election~~
1496 ~~is held. A petition shall be deemed to be filed with the~~
1497 ~~Secretary of State upon the date the secretary determines that~~
1498 ~~the petition has been signed by the constitutionally required~~
1499 ~~number of electors.~~

1500 ~~(2) Such certification shall be issued when the Secretary~~
1501 ~~of State has received verification certificates from the~~
1502 ~~supervisors of elections indicating that the requisite number~~
1503 ~~and distribution of valid signatures of electors have been~~
1504 ~~submitted to and verified by the supervisors. Every signature~~
1505 ~~shall be dated when made and shall be valid for a period of 4~~
1506 ~~years following such date, provided all other requirements of~~
1507 ~~law are complied with.~~

1508 (2)(3) The sponsor of an initiative amendment shall, prior
1509 to obtaining any signatures, register as a political committee

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1510 pursuant to s. 106.03 and submit the text of the proposed
1511 amendment to the Secretary of State, with the form on which the
1512 signatures will be affixed, and shall obtain the approval of the
1513 Secretary of State of such form. The Secretary of State shall
1514 adopt rules pursuant to s. 120.54 prescribing the style and
1515 requirements of such form. Upon filing with the Secretary of
1516 State, the text of the proposed amendment and all forms filed in
1517 connection with this section must, upon request, be made
1518 available in alternative formats.

1519 (3)(4) Each signature shall be dated when made and shall
1520 be valid for a period of 4 years following such date, provided
1521 all other requirements of law are met. The sponsor shall submit
1522 signed and dated forms to the appropriate supervisor of
1523 elections for verification as to the number of registered
1524 electors whose valid signatures appear thereon. The supervisor
1525 shall promptly verify the signatures upon payment of the fee
1526 required by s. 99.097. The supervisor shall promptly record each
1527 valid signature in the statewide voter registration system in
1528 the manner prescribed by the Secretary of State. The supervisor
1529 shall, upon request, advise the sponsor of an initiative of the
1530 number of signatures verified and recorded in the statewide
1531 voter registration system. ~~Upon completion of verification, the~~
1532 ~~supervisor shall execute a certificate indicating the total~~
1533 ~~number of signatures checked, the number of signatures verified~~
1534 ~~as valid and as being of registered electors, and the~~
1535 ~~distribution by congressional district. This certificate shall~~
1536 ~~be immediately transmitted to the Secretary of State. The~~

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1537 supervisor shall retain the signature forms for at least 1 year
1538 following the election in which the issue appeared on the ballot
1539 or until the Division of Elections notifies the supervisors of
1540 elections that the committee which circulated the petition is no
1541 longer seeking to obtain ballot position.

1542 ~~(4)(5)~~ The Secretary of State shall determine from the
1543 signatures verified by the ~~verification certificates received~~
1544 ~~from~~ supervisors of elections and recorded in the statewide
1545 voter registration system the total number of verified valid
1546 signatures and the distribution of such signatures by
1547 congressional districts. Upon a determination that the requisite
1548 number and distribution of valid signatures have been obtained,
1549 the secretary shall issue a certificate of ballot position for
1550 that proposed amendment and shall assign a designating number
1551 pursuant to s. 101.161. ~~A petition shall be deemed to be filed~~
1552 ~~with the Secretary of State upon the date of the receipt by the~~
1553 ~~secretary of a certificate or certificates from supervisors of~~
1554 ~~elections indicating the petition has been signed by the~~
1555 ~~constitutionally required number of electors.~~

1556 ~~(5)(6)~~(a) Within 45 days after receipt of a proposed
1557 revision or amendment to the State Constitution by initiative
1558 petition from the Secretary of State ~~or, within 30 days after~~
1559 ~~such receipt if receipt occurs 120 days or less before the~~
1560 ~~election at which the question of ratifying the amendment will~~
1561 ~~be presented~~, the Financial Impact Estimating Conference shall
1562 complete an analysis and financial impact statement to be placed
1563 on the ballot of the estimated increase or decrease in any

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1564 revenues or costs to state or local governments resulting from
1565 the proposed initiative. The Financial Impact Estimating
1566 Conference shall submit the financial impact statement to the
1567 Attorney General and Secretary of State.

1568 (b)1. The Financial Impact Estimating Conference shall
1569 provide an opportunity for any proponents or opponents of the
1570 initiative to submit information and may solicit information or
1571 analysis from any other entities or agencies, including the
1572 Office of Economic and Demographic Research. All meetings of the
1573 Financial Impact Estimating Conference shall be open to the
1574 public as provided in chapter 286.

1575 2. The Financial Impact Estimating Conference is
1576 established to review, analyze, and estimate the financial
1577 impact of amendments to or revisions of the State Constitution
1578 proposed by initiative. The Financial Impact Estimating
1579 Conference shall consist of four principals: one person from the
1580 Executive Office of the Governor; the coordinator of the Office
1581 of Economic and Demographic Research, or his or her designee;
1582 one person from the professional staff of the Senate; and one
1583 person from the professional staff of the House of
1584 Representatives. Each principal shall have appropriate fiscal
1585 expertise in the subject matter of the initiative. A Financial
1586 Impact Estimating Conference may be appointed for each
1587 initiative.

1588 3. Principals of the Financial Impact Estimating
1589 Conference shall reach a consensus or majority concurrence on a
1590 clear and unambiguous financial impact statement, no more than

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1591 75 words in length, and immediately submit the statement to the
1592 Attorney General. Nothing in this subsection prohibits the
1593 Financial Impact Estimating Conference from setting forth a
1594 range of potential impacts in the financial impact statement.
1595 Any financial impact statement that a court finds not to be in
1596 accordance with this section shall be remanded solely to the
1597 Financial Impact Estimating Conference for redrafting. The
1598 Financial Impact Estimating Conference shall redraft the
1599 financial impact statement within 15 days.

1600 4. If the members of the Financial Impact Estimating
1601 Conference are unable to agree on the statement required by this
1602 subsection, or if the Supreme Court has rejected the initial
1603 submission by the Financial Impact Estimating Conference and no
1604 redraft has been approved by the Supreme Court by 5 p.m. on the
1605 75th day before the election, the following statement shall
1606 appear on the ballot pursuant to s. 101.161(1): "The financial
1607 impact of this measure, if any, cannot be reasonably determined
1608 at this time."

1609 (c) The financial impact statement must be separately
1610 contained and be set forth after the ballot summary as required
1611 in s. 101.161(1).

1612 (d)1. Any financial impact statement that the Supreme
1613 Court finds not to be in accordance with this subsection shall
1614 be remanded solely to the Financial Impact Estimating Conference
1615 for redrafting, provided the court's advisory opinion is
1616 rendered at least 75 days before the election at which the
1617 question of ratifying the amendment will be presented. The

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1618 Financial Impact Estimating Conference shall prepare and adopt a
1619 revised financial impact statement no later than 5 p.m. on the
1620 15th day after the date of the court's opinion.

1621 2. If, by 5 p.m. on the 75th day before the election, the
1622 Supreme Court has not issued an advisory opinion on the initial
1623 financial impact statement prepared by the Financial Impact
1624 Estimating Conference for an initiative amendment that otherwise
1625 meets the legal requirements for ballot placement, the financial
1626 impact statement shall be deemed approved for placement on the
1627 ballot.

1628 3. In addition to the financial impact statement required
1629 by this subsection, the Financial Impact Estimating Conference
1630 shall draft an initiative financial information statement. The
1631 initiative financial information statement should describe in
1632 greater detail than the financial impact statement any projected
1633 increase or decrease in revenues or costs that the state or
1634 local governments would likely experience if the ballot measure
1635 were approved. If appropriate, the initiative financial
1636 information statement may include both estimated dollar amounts
1637 and a description placing the estimated dollar amounts into
1638 context. The initiative financial information statement must
1639 include both a summary of not more than 500 words and additional
1640 detailed information that includes the assumptions that were
1641 made to develop the financial impacts, workpapers, and any other
1642 information deemed relevant by the Financial Impact Estimating
1643 Conference.

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1644 4. The Department of State shall have printed, and shall
1645 furnish to each supervisor of elections, a copy of the summary
1646 from the initiative financial information statements. The
1647 supervisors shall have the summary from the initiative financial
1648 information statements available at each polling place and at
1649 the main office of the supervisor of elections upon request.

1650 5. The Secretary of State and the Office of Economic and
1651 Demographic Research shall make available on the Internet each
1652 initiative financial information statement in its entirety. In
1653 addition, each supervisor of elections whose office has a
1654 website shall post the summary from each initiative financial
1655 information statement on the website. Each supervisor shall
1656 include the Internet addresses for the information statements on
1657 the Secretary of State's and the Office of Economic and
1658 Demographic Research's websites in the publication or mailing
1659 required by s. 101.20.

1660 ~~(6)(7)~~ The Department of State may adopt rules in
1661 accordance with s. 120.54 to carry out the provisions of
1662 subsections (1)-~~(5)(6)~~.

1663 Section 29. Effective August 1, 2006, subsection (3) of
1664 section 101.001, Florida Statutes, is amended to read:

1665 101.001 Precincts and polling places; boundaries.--

1666 (3) Each supervisor of elections shall maintain a suitable
1667 map drawn to a scale no smaller than 3 miles to the inch and
1668 clearly delineating all major observable features such as roads,
1669 streams, and railway lines and showing the current geographical
1670 boundaries of each precinct, representative district, and

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1671 senatorial district, and other type of district in the county
1672 subject to the elections process in this code. On maps of new
1673 precincts, a delineation of area shall also be included for each
1674 precinct employing the official census county divisions, tracts,
1675 block numbering areas, block groups, and blocks used by the
1676 United States Department of Commerce, Bureau of the Census, and
1677 adopted by the state for the delineation of representative
1678 districts pursuant to s. 10.00001. The supervisor of elections
1679 shall notify the Secretary of State in writing within 30 days
1680 after ~~of~~ any new reorganization of precincts and shall furnish a
1681 copy of the map showing the current geographical boundaries and
1682 designation of each new precinct and a delineation of the census
1683 blocks included in each precinct. Until January 1, 2012, any
1684 supervisor may apply for and obtain from the Secretary of State
1685 a waiver of the requirement to delineate precincts by census
1686 geography.

1687 Section 30. Subsections (1) and (3) of section 101.043,
1688 Florida Statutes, are amended to read:

1689 101.043 Identification required at polls.--

1690 (1) The precinct register, as prescribed in s. 98.461,
1691 shall be used at the polls ~~in lieu of the registration books~~ for
1692 the purpose of identifying the elector at the polls prior to
1693 allowing him or her to vote. The clerk or inspector shall
1694 require each elector, upon entering the polling place, to
1695 present one of the following a current and valid picture
1696 identifications:

1697 (a) Florida driver's license.

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1698 (b) Florida identification card issued by the Department
1699 of Highway Safety and Motor Vehicles.

1700 (c) United States passport.

1701 (d) Employee badge or identification.

1702 (e) Buyer's club identification.

1703 (f) Debit or credit card.

1704 (g) Military identification.

1705 (h) Student identification.

1706 (i) Retirement center identification.

1707 (j) Neighborhood association identification.

1708 (k) Public assistance identification as ~~provided in s.~~
1709 97.0535(3)(a).

1710
1711 If the picture identification does not contain the signature of
1712 the voter, an additional identification that provides the
1713 voter's signature shall be required. The elector shall sign his
1714 or her name in the space provided on the precinct register or on
1715 an electronic device provided for recording the voter's
1716 signature. ~~and~~ The clerk or inspector shall compare the
1717 signature with that on the identification provided by the
1718 elector and enter his or her initials in the space provided on
1719 the precinct register or on an electronic device provided for
1720 that purpose and allow the elector to vote if the clerk or
1721 inspector is satisfied as to the identity of the elector.

1722 (3) If the elector who fails to furnish the required
1723 identification is an elector subject to s. 97.0535 ~~a first-time~~
1724 ~~voter who registered by mail~~ and has not provided the required

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1725 identification to a voter registration official ~~the supervisor~~
1726 ~~of elections~~ prior to election day, the elector shall be allowed
1727 to vote a provisional ballot. The canvassing board shall
1728 determine the validity of the ballot pursuant to s. 101.048(2).

1729 Section 31. Subsections (2) and (3) of section 101.045,
1730 Florida Statutes, are amended to read:

1731 101.045 Electors must be registered in precinct;
1732 provisions for residence or name change.--

1733 (2)(a) An elector who moves from the precinct ~~within the~~
1734 ~~county~~ in which the elector is registered may be permitted to
1735 vote in the precinct to which he or she has moved his or her
1736 legal residence, provided such elector completes an affirmation
1737 in substantially the following form:

1738

Change of Legal Residence of Registered
Voter

1741

1742 Under penalties for false swearing, I, (Name of voter) ,
1743 swear (or affirm) that the former address of my legal residence
1744 was (Address of legal residence) in the municipality of
1745 _____, in _____ County, Florida, and I was registered to vote in
1746 the _____ precinct of _____ County, Florida; that I have not
1747 voted in the precinct of my former registration in this
1748 election; that I now reside at (Address of legal residence)
1749 in the Municipality of _____, in _____ County, Florida, and am
1750 therefore eligible to vote in the _____ precinct of _____

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1751 County, Florida; and I further swear (or affirm) that I am
1752 otherwise legally registered and entitled to vote.

1753
1754 (Signature of voter whose address of legal residence has
1755 changed)

1756
1757 (b) An elector whose name changes because of marriage or
1758 other legal process may be permitted to vote, provided such
1759 elector completes an affirmation in substantially the following
1760 form:

1761
1762 Change of Name of Registered
1763 Voter

1764
1765 Under penalties for false swearing, I, (New name of voter) ,
1766 swear (or affirm) that my name has been changed because of
1767 marriage or other legal process. My former name and address of
1768 legal residence appear on the registration records ~~books~~ of
1769 precinct _____ as follows:

- 1770 Name
- 1771 Address
- 1772 Municipality
- 1773 County
- 1774 Florida, Zip

1775 My present name and address of legal residence are as follows:

- 1776 Name
- 1777 Address

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1778 Municipality

1779 County

1780 Florida, Zip

1781 and I further swear (or affirm) that I am otherwise legally
1782 registered and entitled to vote.

1783

1784 (Signature of voter whose name has changed)

1785

1786 (c) Such affirmation, when completed and presented at the
1787 precinct in which such elector is entitled to vote, and upon
1788 verification of the elector's registration, shall entitle such
1789 elector to vote as provided in this subsection. If the elector's
1790 eligibility to vote cannot be determined, he or she shall be
1791 entitled to vote a provisional ballot, subject to the
1792 requirements and procedures in s. 101.048. Upon receipt of an
1793 affirmation certifying a change in address of legal residence or
1794 name, the supervisor shall as soon as practicable make the
1795 necessary changes in the statewide voter registration system
1796 ~~records of the county~~ to indicate the change in address of legal
1797 residence or name of such elector.

1798 (d) Instead of the affirmation contained in paragraph (a)
1799 or paragraph (b), an elector may complete a voter registration
1800 application that indicates the change of name or change of
1801 address of legal residence.

1802 ~~(e) A request for an absentee ballot pursuant to s. 101.62~~
1803 ~~which indicates that the elector has had a change of address of~~
1804 ~~legal residence from that in the supervisor's records shall be~~

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1805 ~~sufficient as the notice to the supervisor of change of address~~
1806 ~~of legal residence required by this section. Upon receipt of~~
1807 ~~such request for an absentee ballot from an elector who has~~
1808 ~~changed his or her address of legal residence, the supervisor~~
1809 ~~shall provide the elector with the proper ballot for the~~
1810 ~~precinct in which the elector then has his or her legal~~
1811 ~~residence.~~

1812 ~~(3) When an elector's name does not appear on the~~
1813 ~~registration books of the election precinct in which the elector~~
1814 ~~is registered, the elector may have his or her name restored if~~
1815 ~~the supervisor is otherwise satisfied that the elector is~~
1816 ~~validly registered, that the elector's name has been erroneously~~
1817 ~~omitted from the books, and that the elector is entitled to have~~
1818 ~~his or her name restored. The supervisor, if he or she is~~
1819 ~~satisfied as to the elector's previous registration, shall allow~~
1820 ~~such person to vote and shall thereafter issue a duplicate~~
1821 ~~registration identification card.~~

1822 Section 32. Subsection (1) of section 101.048, Florida
1823 Statutes, is amended to read:

1824 101.048 Provisional ballots.--

1825 (1) At all elections, a voter claiming to be properly
1826 registered in the state county and eligible to vote at the
1827 precinct in the election, but whose eligibility cannot be
1828 determined, and other persons specified in the code shall be
1829 entitled to vote a provisional ballot. Once voted, the
1830 provisional ballot shall be placed in a secrecy envelope and
1831 thereafter sealed in a provisional ballot envelope. The

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1832 provisional ballot shall be deposited in a ballot box. All
1833 provisional ballots shall remain sealed in their envelopes for
1834 return to the supervisor of elections. The department shall
1835 prescribe the form of the provisional ballot envelope.

1836 Section 33. Effective January 1, 2007, subsection (1) of
1837 section 101.161, Florida Statutes, is amended to read:

1838 101.161 Referenda; ballots.--

1839 (1) Whenever a constitutional amendment or other public
1840 measure is submitted to the vote of the people, the substance of
1841 such amendment or other public measure shall be printed in clear
1842 and unambiguous language on the ballot after the list of
1843 candidates, followed by the word "yes" and also by the word
1844 "no," and shall be styled in such a manner that a "yes" vote
1845 will indicate approval of the proposal and a "no" vote will
1846 indicate rejection. The wording of the substance of the
1847 amendment or other public measure and the ballot title to appear
1848 on the ballot shall be embodied in the joint resolution,
1849 constitutional revision commission proposal, constitutional
1850 convention proposal, taxation and budget reform commission
1851 proposal, or enabling resolution or ordinance. Except for
1852 amendments and ballot language proposed by joint resolution, the
1853 substance of the amendment or other public measure shall be an
1854 explanatory statement, not exceeding 75 words in length, of the
1855 chief purpose of the measure. In addition, for every amendment
1856 proposed by initiative, the ballot shall include, following the
1857 ballot summary, a separate financial impact statement concerning
1858 the measure prepared by the Financial Impact Estimating

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1859 Conference in accordance with s. 100.371(5)~~(6)~~. The ballot title
1860 shall consist of a caption, not exceeding 15 words in length, by
1861 which the measure is commonly referred to or spoken of.

1862 Section 34. Subsection (2) of section 101.56062, Florida
1863 Statutes, as created by section 12 of chapter 2002-281, Laws of
1864 Florida, is amended to read:

1865 101.56062 Standards for accessible voting systems.--

1866 (2) Such voting system must include at least one
1867 accessible voter interface device installed in each polling
1868 place ~~precinct~~ which meets the requirements of this section,
1869 except for paragraph (1)(d).

1870 Section 35. Subsection (1) of section 101.5608, Florida
1871 Statutes, is amended to read:

1872 101.5608 Voting by electronic or electromechanical method;
1873 procedures.--

1874 (1) Each elector desiring to vote shall be identified to
1875 the clerk or inspector of the election as a duly qualified
1876 elector of such election and shall sign his or her name on the
1877 ~~in ink or indelible pencil to an identification blank, signature~~
1878 ~~slip, precinct register, or other form or device provided by the~~
1879 ~~supervisor ballot stub on which the ballot serial number may be~~
1880 ~~recorded~~. The inspector shall compare the signature with the
1881 signature on the identification provided by the elector. If the
1882 inspector is reasonably sure that the person is entitled to
1883 vote, the inspector shall provide the person with a ballot.

1884 Section 36. Effective August 1, 2006, section 101.573,
1885 Florida Statutes, is created to read:

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1886 101.573 Record of votes by precinct.--

1887 (1) Within 75 days after the date of a municipal election
1888 or runoff, whichever occurs later, a presidential preference
1889 primary, or a general election, the supervisor of elections
1890 shall file with the Department of State precinct-level election
1891 results for that election cycle, including any primary
1892 elections. Precinct-level election results shall record for each
1893 precinct the returns of ballots cast at the precinct location to
1894 which have been added the returns of absentee and early ballots
1895 cast by voters registered in the precinct.

1896 (2) The Department of State shall adopt rules pursuant to
1897 ss. 120.536(1) and 120.54 prescribing the form by which
1898 supervisors of elections shall submit election results for each
1899 precinct.

1900 Section 37. Effective January 1, 2007, paragraph (a) of
1901 subsection (4) of section 101.62, Florida Statutes, is amended
1902 to read:

1903 101.62 Request for absentee ballots.--

1904 (4)(a) To each absent qualified elector overseas who has
1905 requested an absentee ballot, the supervisor of elections shall,
1906 not fewer than 35 days before the first primary election, mail
1907 an absentee ballot. Not fewer than 45 days before the second
1908 primary and general election, the supervisor of elections shall
1909 mail an advance absentee ballot to those persons requesting
1910 ballots for such elections. The advance absentee ballot for the
1911 second primary shall be the same as the first primary absentee
1912 ballot as to the names of candidates, except that for any

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1913 offices where there are only two candidates, those offices and
1914 all political party executive committee offices shall be
1915 omitted. Except as provided in ss. 99.063(4) and 100.371~~(5)~~~~(6)~~,
1916 the advance absentee ballot for the general election shall be as
1917 specified in s. 101.151, except that in the case of candidates
1918 of political parties where nominations were not made in the
1919 first primary, the names of the candidates placing first and
1920 second in the first primary election shall be printed on the
1921 advance absentee ballot. The advance absentee ballot or advance
1922 absentee ballot information booklet shall be of a different
1923 color for each election and also a different color from the
1924 absentee ballots for the first primary, second primary, and
1925 general election. The supervisor shall mail an advance absentee
1926 ballot for the second primary and general election to each
1927 qualified absent elector for whom a request is received until
1928 the absentee ballots are printed. The supervisor shall enclose
1929 with the advance second primary absentee ballot and advance
1930 general election absentee ballot an explanation stating that the
1931 absentee ballot for the election will be mailed as soon as it is
1932 printed; and, if both the advance absentee ballot and the
1933 absentee ballot for the election are returned in time to be
1934 counted, only the absentee ballot will be counted. The
1935 Department of State may prescribe by rule the requirements for
1936 preparing and mailing absentee ballots to absent qualified
1937 electors overseas.

1938 Section 38. Subsection (3) is added to section 101.64,
1939 Florida Statutes, to read:

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1940 101.64 Delivery of absentee ballots; envelopes; form.--

1941 (3) The supervisor shall mark, code, indicate on, or
1942 otherwise track the precinct of the absent elector for each
1943 absentee ballot.

1944 Section 39. Paragraph (a) of subsection (1) of section
1945 101.657, Florida Statutes, is amended to read:

1946 101.657 Early voting.--

1947 (1)(a) The supervisor of elections shall allow an elector
1948 to vote early in the main or branch office of the supervisor by
1949 depositing the voted ballot in a voting device used by the
1950 supervisor to collect or tabulate ballots. The supervisor shall
1951 mark, code, indicate on, or otherwise track the voter's precinct
1952 for each early voted ballot. In order for a branch office to be
1953 used for early voting, it shall be a full-service facility of
1954 the supervisor and shall have been designated as such at least 1
1955 year prior to the election. The supervisor may designate any
1956 city hall or public library as early voting sites; however, if
1957 so designated, the sites must be geographically located so as to
1958 provide all voters in the county an equal opportunity to cast a
1959 ballot, insofar as is practicable. The results or tabulation may
1960 not be made before the close of the polls on election day.

1961 Section 40. Section 101.663, Florida Statutes, is amended
1962 to read:

1963 101.663 Electors; change of residence to another state.--

1964 ~~(1) An elector who changes his or her residence to another~~
1965 ~~county in Florida from the county in Florida in which he or she~~
1966 ~~is registered as an elector after the books in the county to~~

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1967 ~~which the elector has changed his or her residence are closed~~
1968 ~~for any general, primary, or special election shall be permitted~~
1969 ~~to vote absentee in the county of his or her former residence in~~
1970 ~~that election for President and Vice President, United States~~
1971 ~~Senator, statewide offices, and statewide issues. Such person~~
1972 ~~shall not be permitted to vote in the county of the person's~~
1973 ~~former residence after the general election.~~

1974 (2) An elector registered in this state who moves his or
1975 her permanent residence to another state and who is prohibited
1976 by the laws of that state from voting for the offices of
1977 President and Vice President of the United States shall be
1978 permitted to vote absentee in the county of his or her former
1979 residence for those offices.

1980 Section 41. Subsection (1) of section 101.6921, Florida
1981 Statutes, is amended to read:

1982 101.6921 Delivery of special absentee ballot to certain
1983 first-time voters.--

1984 (1) The provisions of this section apply to voters who are
1985 subject to the provisions of s. 97.0535 ~~registered to vote by~~
1986 ~~mail, who have not previously voted in the county,~~ and who have
1987 not provided the identification or certification required by s.
1988 97.0535 by the time the absentee ballot is mailed.

1989 Section 42. Section 101.6923, Florida Statutes, is amended
1990 to read:

1991 101.6923 Special absentee ballot instructions for certain
1992 first-time voters.--

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1993 (1) The provisions of this section apply to voters who are
1994 subject to the provisions of s. 97.0535 ~~registered to vote by~~
1995 ~~mail, who have not previously voted in the county,~~ and who have
1996 not provided the identification or information required by s.
1997 97.0535 by the time the absentee ballot is mailed.

1998 (2) A voter covered by this section shall be provided with
1999 ~~the following~~ printed instructions with his or her absentee
2000 ballot in substantially the following form:

2001
2002 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
2003 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
2004 YOUR BALLOT NOT TO COUNT.

2005
2006 1. In order to ensure that your absentee ballot will be
2007 counted, it should be completed and returned as soon as possible
2008 so that it can reach the supervisor of elections of the county
2009 in which your precinct is located no later than 7 p.m. on the
2010 date of the election.

2011 2. Mark your ballot in secret as instructed on the ballot.
2012 You must mark your own ballot unless you are unable to do so
2013 because of blindness, disability, or inability to read or write.

2014 3. Mark only the number of candidates or issue choices for
2015 a race as indicated on the ballot. If you are allowed to "Vote
2016 for One" candidate and you vote for more than one, your vote in
2017 that race will not be counted.

2018 4. Place your marked ballot in the enclosed secrecy
2019 envelope and seal the envelope.

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2020 5. Insert the secrecy envelope into the enclosed envelope
2021 bearing the Voter's Certificate. Seal the envelope and
2022 completely fill out the Voter's Certificate on the back of the
2023 envelope.

2024 a. You must sign your name on the line above (Voter's
2025 Signature).

2026 b. If you are an overseas voter, you must include the date
2027 you signed the Voter's Certificate on the line above (Date) or
2028 your ballot may not be counted.

2029 6. Unless you meet one of the exemptions in Item 7., you
2030 must make a copy of one of the following forms of
2031 identification:

2032 a. Identification which must include your name and
2033 photograph: ~~current and valid Florida driver's license; Florida~~
2034 ~~identification card issued by the Department of Highway Safety~~
2035 ~~and Motor Vehicles;~~ United States passport; employee badge or
2036 identification; buyer's club identification card; debit or
2037 credit card; military identification; student identification;
2038 retirement center identification; neighborhood association
2039 identification; ~~entertainment identification;~~ or public
2040 assistance identification; or

2041 b. Identification which shows your name and current
2042 residence address: current utility bill, bank statement,
2043 government check, paycheck, or government document (excluding
2044 voter identification card).

2045 7. The identification requirements of Item 6. do not apply
2046 if you meet one of the following requirements:

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- 2047 a. You are 65 years of age or older.
- 2048 b. You have a temporary or permanent physical disability.
- 2049 c. You are a member of a uniformed service on active duty
2050 who, by reason of such active duty, will be absent from the
2051 county on election day.
- 2052 d. You are a member of the Merchant Marine who, by reason
2053 of service in the Merchant Marine, will be absent from the
2054 county on election day.
- 2055 e. You are the spouse or dependent of a member referred to
2056 in paragraph c. or paragraph d. who, by reason of the active
2057 duty or service of the member, will be absent from the county on
2058 election day.
- 2059 f. You are currently residing outside the United States.
- 2060 8. Place the envelope bearing the Voter's Certificate into
2061 the mailing envelope addressed to the supervisor. Insert a copy
2062 of your identification in the mailing envelope. DO NOT PUT YOUR
2063 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
2064 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
2065 BALLOT WILL NOT COUNT.
- 2066 9. Mail, deliver, or have delivered the completed mailing
2067 envelope. Be sure there is sufficient postage if mailed.
- 2068 10. FELONY NOTICE. It is a felony under Florida law to
2069 accept any gift, payment, or gratuity in exchange for your vote
2070 for a candidate. It is also a felony under Florida law to vote
2071 in an election using a false identity or false address, or under
2072 any other circumstances making your ballot false or fraudulent.

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Amendment No. (for drafter's use only)

2073 Section 43. Subsection (3) of section 102.012, Florida
2074 Statutes, is amended to read:

2075 102.012 Inspectors and clerks to conduct elections.--

2076 (3) The supervisor shall furnish inspectors of election
2077 for each precinct with the list of registered electors for that
2078 precinct ~~registration books divided alphabetically as will best~~
2079 ~~facilitate the holding of an election.~~ The supervisor shall also
2080 furnish to the inspectors of election at the polling place at
2081 each precinct in the supervisor's county a sufficient number of
2082 forms and blanks for use on election day.

2083 Section 44. Subsections (1), (2), and (3) of section
2084 104.013, Florida Statutes, are amended to read:

2085 104.013 Unauthorized use, possession, or destruction of
2086 voter information ~~registration identification~~ card.--

2087 (1) It is unlawful for any person knowingly to have in his
2088 or her possession any blank, forged, stolen, fictitious,
2089 counterfeit, or unlawfully issued voter information ~~registration~~
2090 ~~identification~~ card unless possession by such person has been
2091 duly authorized by the supervisor.

2092 (2) It is unlawful for any person to barter, trade, sell,
2093 or give away a voter information ~~registration identification~~
2094 card unless said person has been duly authorized to issue a
2095 voter information ~~registration identification~~ card.

2096 (3) It is unlawful for any person willfully to destroy or
2097 deface the information ~~registration identification~~ card of a
2098 duly registered voter.

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Amendment No. (for drafter's use only)

2099 Section 45. Section 196.141, Florida Statutes, is amended
2100 to read:

2101 196.141 Homestead exemptions; duty of property
2102 appraiser.--

2103 ~~(1)~~ The property appraiser shall examine each claim for
2104 exemption filed with or referred to him or her and shall allow
2105 the same, if found to be in accordance with law, by marking the
2106 same approved and by making the proper deductions on the tax
2107 books.

2108 ~~(2) The property appraiser shall examine each referral, of~~
2109 ~~a person registering to vote at an address different from the~~
2110 ~~one where the person has filed for a homestead exemption, which~~
2111 ~~has been provided by a supervisor of elections pursuant to s.~~
2112 ~~98.015. The property appraiser shall initiate procedures to~~
2113 ~~terminate a person's homestead exemption and assess back taxes,~~
2114 ~~if appropriate, if the person claiming such exemption is not~~
2115 ~~entitled to the exemption under law.~~

2116 Section 46. Paragraph (b) of subsection (4) of section
2117 120.54, Florida Statutes, is amended to read:

2118 120.54 Rulemaking.--

2119 (4) EMERGENCY RULES.--

2120 (b) Rules pertaining to the public health, safety, or
2121 welfare shall include rules pertaining to perishable
2122 agricultural commodities or rules pertaining to the
2123 interpretation and implementation of the requirements of
2124 chapters 97 through 102 and 105 of the Florida Election Code
2125 which are filed when not more than 60 days remain before an

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2126 | election as defined in s. 97.021 or which are filed during the
2127 | time period after the election and before certification of the
2128 | election pursuant to s. 102.112 or s. 102.121.

2129 | Section 47. Sections 98.055, 98.095, 98.0977, 98.0979,
2130 | 98.101, 98.181, 98.231, 98.451, 98.481, and 101.635, Florida
2131 | Statutes, are repealed.

2132 | Section 48. Except as otherwise provided herein, this act
2133 | shall take effect January 1, 2006.

2134 |

2135 | ===== T I T L E A M E N D M E N T =====

2136 | Remove the entire title and insert:

2137 | A bill to be entitled
2138 | An act relating to elections; amending s. 97.012, F.S.;
2139 | revising the duties of the Secretary of State and the
2140 | Department of State relating to election laws; providing
2141 | for rulemaking; authorizing the Secretary of State to
2142 | delegate voter registration and records maintenance duties
2143 | to voter registration officials; providing that the
2144 | secretary has a duty to bring legal action to enforce the
2145 | performance of county supervisors of elections or other
2146 | officials performing duties relating to the Florida
2147 | Election Code; providing a prerequisite to bringing such
2148 | an action; providing venue; requiring that courts give
2149 | priority to such an action; providing penalties; providing
2150 | for the adoption of rules; amending s. 97.021, F.S.;
2151 | revising and providing definitions; amending s. 97.026,
2152 | F.S.; providing rulemaking authority to make forms

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2153 available in alternative formats and via the Internet;
2154 removing a cross reference; amending s. 97.051, F.S.;
2155 revising the oath taken by a person registering to vote;
2156 amending s. 97.052, F.S.; requiring that the uniform
2157 statewide voter registration application be accepted for
2158 replacement of a voter information card and signature
2159 update; revising the information the uniform statewide
2160 voter registration application must contain and must
2161 elicit from the applicant; providing for the failure of a
2162 voter registration applicant to answer questions on the
2163 voter registration application; amending s. 97.053, F.S.;
2164 revising the criteria for completeness of a voter
2165 registration application; specifying the possible valid
2166 recipients of a mailed voter registration application;
2167 revising the information needed on a voter registration
2168 application to establish an applicant's eligibility;
2169 providing for verification of authenticity of certain
2170 voter registration application information; providing for
2171 a provisional ballot to be provided to an applicant if the
2172 application is not verified by a certain date; requiring a
2173 voter registration official to enter all voter
2174 registration applications into the voter registration
2175 system within a certain time period and forward such
2176 applications to the supervisor of elections; amending s.
2177 97.0535, F.S.; providing for applicants who have no valid
2178 Florida driver's license, identification card, or social
2179 security number; amending s. 97.055, F.S.; specifying the

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2180 information updates permitted for purposes of an upcoming
2181 election once registration books are closed; amending s.
2182 97.057, F.S.; revising the voter registration procedure by
2183 the Department of Highway Safety and Motor Vehicles;
2184 amending s. 97.058, F.S.; revising duties of voter
2185 registration agencies; amending s. 97.061, F.S.; revising
2186 special registration procedures for electors requiring
2187 assistance; amending s. 97.071, F.S.; redesignating the
2188 registration identification card as the voter information
2189 card; revising requirements for the contents of the card;
2190 amending s. 97.073, F.S.; revising the procedure by which
2191 an applicant must supply missing information on the voter
2192 registration application; revising provisions relating to
2193 cancellation of previous registration; amending s.
2194 97.1031, F.S.; revising provisions relating to notice of
2195 change of residence, name, or party affiliation; amending
2196 s. 97.105, F.S., relating to establishment of the
2197 permanent single registration system, to conform; amending
2198 s. 98.015, F.S.; revising the duties of supervisors of
2199 elections; creating s. 98.035, F.S.; establishing a
2200 statewide voter registration system; requiring the
2201 Secretary of State to be responsible for the
2202 implementation, operation, and maintenance of the system;
2203 prohibiting the department from contracting with any other
2204 entity to operate the system; authorizing the department
2205 to adopt rules relating to the access, use, and operation
2206 of the system; amending s. 98.045, F.S.; revising

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2207 provisions relating to administration of voter
2208 registration; providing for the responsibility of such
2209 administration to be undertaken by the department in lieu
2210 of supervisors of elections; specifying ineligibility
2211 criteria; revising provisions relating to removal of
2212 registered voters; revising provisions relating to public
2213 records access and retention; providing for the
2214 establishment of a statewide electronic database of valid
2215 residential street addresses; authorizing the department
2216 to adopt rules relating to certain voter registration
2217 system forms; amending s. 98.065, F.S.; revising
2218 provisions relating to registration records maintenance;
2219 providing for change of address; providing limitations on
2220 notice and renewal; requiring supervisors of elections to
2221 certify to the department certain list maintenance
2222 activities; providing penalties; amending s. 98.075, F.S.;
2223 providing for registration records maintenance by the
2224 department; providing procedures in cases involving
2225 duplicate registration, deceased persons, adjudication of
2226 mental incapacity, felony conviction, and other bases for
2227 ineligibility; providing procedures for removal; requiring
2228 supervisors of elections to certify to the department
2229 certain registration records maintenance activities;
2230 creating s. 98.0755, F.S.; providing for appeal of a
2231 determination of ineligibility; providing for
2232 jurisdiction, burden of proof, and trial costs; amending
2233 s. 98.077, F.S.; revising provisions relating to updating

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2234 a voter's signature; amending s. 98.081, F.S., relating to
2235 removal of names from the statewide voter registration
2236 system, to conform; amending s. 98.093, F.S.; revising the
2237 duty of officials to furnish lists of deceased persons,
2238 persons adjudicated mentally incapacitated, and persons
2239 convicted of a felony; creating s. 98.0981, F.S.;
2240 requiring the department to establish and maintain a
2241 statewide voter registration database and provide such
2242 database to the Legislature; specifying the required
2243 contents of the database; amending s. 98.212, F.S.,
2244 relating to furnishing of statistical and other
2245 information, to conform; amending s. 98.461, F.S.;
2246 authorizing use of an electronic database as a precinct
2247 register and use of an electronic device for voter
2248 signatures and witness initials; amending s. 100.371,
2249 F.S.; revising the procedure by which constitutional
2250 amendments proposed by initiative shall be placed on the
2251 ballot; amending s. 101.001, F.S.; providing requirements
2252 relating to maps of new precincts; revising procedural
2253 requirements of supervisors of elections relating to
2254 precincts and precinct maps; amending s. 101.043, F.S.;
2255 revising requirements and procedures relating to
2256 identification required at polls; amending s. 101.045,
2257 F.S., relating to provisions for residence or name change
2258 at the polls, to conform; amending s. 101.048, F.S.,
2259 relating to provisional ballots, to conform; amending s.
2260 101.161, F.S.; correcting a cross reference; amending s.

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2261 101.56062, F.S., relating to standards for accessible
2262 voting systems, to conform; amending s. 101.5608, F.S.;
2263 revising a provision relating to an elector's signature
2264 provided with identification prior to voting; creating s.
2265 101.573, F.S.; requiring supervisors of elections to file
2266 precinct-level election results; requiring the Department
2267 of State to adopt rules; amending s. 101.62, F.S.;
2268 correcting a cross reference; amending ss. 101.64 and
2269 101.657, F.S.; requiring that the supervisor of elections
2270 indicate on each absentee or early voted ballot the
2271 precinct of the voter; amending s. 101.663, F.S., relating
2272 to change of residence, to conform; amending s. 101.6921,
2273 F.S., relating to delivery of special absentee ballots to
2274 certain first-time voters, to conform; amending s.
2275 101.6923, F.S., relating to special absentee ballot
2276 instructions for certain first-time voters, to conform;
2277 amending s. 102.012, F.S., relating to conduct of
2278 elections by inspectors and clerks, to conform; amending
2279 s. 104.013, F.S., relating to unauthorized use,
2280 possession, or destruction of voter information cards, to
2281 conform; amending s. 196.141, F.S., relating to homestead
2282 exemptions and duties of property appraisers, to conform;
2283 amending s. 120.54, F.S.; including certain rules
2284 pertaining to the Florida Election Code within the
2285 definition of emergency rules governing public health,
2286 safety, or welfare during specified times; repealing s.
2287 98.055, F.S., relating to registration list maintenance

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2288 forms; repealing s. 98.095, F.S., relating to county
2289 registers open to inspection and copies; repealing s.
2290 98.0977, F.S., relating to the statewide voter
2291 registration database and its operation and maintenance;
2292 repealing s. 98.0979, F.S., relating to inspection of the
2293 statewide voter registration; repealing s. 98.101, F.S.,
2294 relating to specifications for permanent registration
2295 binders, files, and forms; repealing s. 98.181, F.S.,
2296 relating to duty of the supervisor of elections to make up
2297 indexes or records; repealing s. 98.231, F.S., relating to
2298 duty of the supervisor of elections to furnish the
2299 department the number of registered electors; repealing s.
2300 98.451, F.S., relating to automation in processing
2301 registration data; repealing s. 98.481, F.S., relating to
2302 challenges to electors; repealing s. 101.635, F.S.,
2303 relating to distribution of blocks of printed ballots;
2304 providing effective dates.

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