

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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.



1 Representative(s) Waters offered the following:

2

3 **Substitute Amendment for Amendment (426201) (with title**  
4 **amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsections (1), (2), and (11) of section  
7 97.012, Florida Statutes, are amended, and subsection (14) is  
8 added to that section, to read:

9 97.012 Secretary of State as chief election officer.--The  
10 Secretary of State is the chief election officer of the state,  
11 and it is his or her responsibility to:

- 12 (1) Obtain and maintain uniformity in the ~~application,~~  
13 ~~operation, and~~ interpretation and implementation of the election  
14 laws. In order to obtain and maintain uniformity in the  
15 interpretation and implementation of the elections laws, the

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16 Department of State may, pursuant to ss. 120.536(1) and 120.54,  
17 adopt by rule uniform standards for the proper and equitable  
18 interpretation and implementation of the requirements of  
19 chapters 97 through 102 and 105 of the Election Code.

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

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

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

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

38 (b) When the secretary files an action under this section  
39 and not more than 60 days remain before an election as defined  
40 in s. 97.021, or during the time period after the election and  
41 before certification of the election pursuant to s. 102.112 or  
42 s. 102.121, the court, including an appellate court, shall set

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43 an immediate hearing, giving the case priority over other  
44 pending cases.

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

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

57 97.021 Definitions.--For the purposes of this code, except  
58 where the context clearly indicates otherwise, the term:

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

66 (38) "Voter registration official" means any supervisor of  
67 elections or individual authorized by the Secretary of State to  
68 accept voter registration applications and execute updates to  
69 the statewide voter registration system.

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70 Section 3. Section 97.026, Florida Statutes, is amended to  
71 read:

72 97.026 Forms to be available in alternative formats and  
73 via the Internet.--It is the intent of the Legislature that all  
74 forms required to be used in chapters 97-106 shall be made  
75 available upon request, in alternative formats. Such forms shall  
76 include absentee ballots as alternative formats for such ballots  
77 become available and the Division of Elections is able to  
78 certify systems that provide them. The department may, pursuant  
79 to ss. 120.536(1) and 120.54, adopt rules to administer this  
80 section. Whenever possible, such forms, with the exception of  
81 absentee ballots, shall be made available by the Department of  
82 State via the Internet. Sections that contain such forms  
83 include, but are not limited to, ss. 97.051, 97.052, 97.053,  
84 97.057, 97.058, 97.0583, 97.071, 97.073, 97.1031, ~~98.055,~~  
85 98.075, 99.021, 100.361, 100.371, 101.045, 101.171, 101.20,  
86 101.6103, 101.62, 101.64, 101.65, 101.657, 105.031, 106.023, and  
87 106.087.

88 Section 4. Section 97.051, Florida Statutes, is amended to  
89 read:

90 97.051 Oath upon registering.--A person registering to  
91 vote must subscribe to the following oath: "I do solemnly swear  
92 (or affirm) that I will protect and defend the Constitution of  
93 the United States and the Constitution of the State of Florida,  
94 that I am qualified to register as an elector under the  
95 Constitution and laws of the State of Florida, and that all

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96 information provided in this application is true ~~I am a citizen~~  
97 ~~of the United States and a legal resident of Florida.~~"

98 Section 5. Section 97.052, Florida Statutes, is amended to  
99 read:

100 97.052 Uniform statewide voter registration application.--

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

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

105 1. Initial registration.

106 2. Change of address.

107 3. Change of party affiliation.

108 4. Change of name.

109 5. Replacement of a voter information registration  
110 identification card.

111 6. Signature update.

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

118 1. Individuals seeking to register to vote or update a  
119 voter registration record.

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

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- 123 3. The Department of Highway Safety and Motor Vehicles.  
124 4. Voter registration agencies.  
125 5. Armed forces recruitment offices.  
126 6. Qualifying educational institutions.  
127 7. Supervisors, who must make the applications and forms  
128 available in the following manner:

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

131 b. By distributing the applications and forms at other  
132 locations designated by each supervisor.

133 c. By mailing the applications and forms to applicants  
134 upon the request of the applicant.

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

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

142 (a) Last, first, and middle ~~Full~~ name, including any  
143 suffix.

144 (b) Date of birth.

145 (c) Address of legal residence.

146 (d) Mailing address, if different.

147 (e) County of legal residence.

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

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150        ~~(f)~~~~(g)~~ Race or ethnicity that best describes the  
151 applicant:

- 152            1. American Indian or Alaskan Native.  
153            2. Asian or Pacific Islander.  
154            3. Black, not Hispanic.  
155            4. White, not Hispanic.  
156            5. Hispanic.

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

158        ~~(h)~~~~(i)~~ Sex.

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

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

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

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

164        ~~(m)~~~~(n)~~ Florida driver's license number or the  
165 identification number from a Florida identification card issued  
166 under s. 322.051.

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

170        (o) Telephone number (optional).

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

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

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

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

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

198  
199 The registration application form must be in plain language and  
200 designed so that convicted felons whose civil rights have been  
201 restored and persons who have been adjudicated mentally

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202 incapacitated and have had their voting rights restored are not  
203 required to reveal their prior conviction or adjudication.

204 (3) The uniform statewide voter registration application  
205 must also contain:

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

208 (b) A statement specifying each eligibility requirement  
209 under s. 97.041.

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

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

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

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

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

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

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

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

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

253 97.053 Acceptance of voter registration applications.--

254 (1) Voter registration applications, changes in  
255 registration, and requests for a replacement voter information

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256 | ~~registration identification~~ card must be accepted in the office  
257 | of any supervisor, the division, a driver license office, a  
258 | voter registration agency, or an armed forces recruitment office  
259 | when hand delivered by the applicant or a third party during the  
260 | hours that office is open or when mailed.

261 |       (2) A ~~completed~~ voter registration application is complete  
262 | and that contains the information necessary to establish an  
263 | applicant's eligibility pursuant to s. 97.041 becomes the  
264 | official voter registration record of that applicant when all  
265 | information necessary to establish the applicant's eligibility  
266 | pursuant to s. 97.041 is received by a voter registration  
267 | official and verified pursuant to subsection (6) the appropriate  
268 | supervisor. If the applicant fails to complete his or her voter  
269 | registration application prior to the date of book closing for  
270 | an election, then such applicant shall not be eligible to vote  
271 | in that election.

272 |       (3) The registration date for a valid initial voter  
273 | registration application that has been hand delivered is the  
274 | date that the application is ~~when~~ received by a driver license  
275 | office, a voter registration agency, an armed forces recruitment  
276 | office, the division, or the office of any supervisor in the  
277 | state.

278 |       (4) The registration date for a valid initial voter  
279 | registration application that has been mailed to a driver  
280 | license office, a voter registration agency, an armed forces  
281 | recruitment office, the division, or the office of any  
282 | supervisor in the state and bears a clear postmark is the date

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283 of that ~~the~~ postmark. If an initial voter registration  
284 application that has been mailed does not bear a postmark or if  
285 the postmark is unclear, the registration date is the date the  
286 application ~~registration~~ is received by any supervisor or the  
287 division, unless it is received within 5 days after the closing  
288 of the books for an election, excluding Saturdays, Sundays, and  
289 legal holidays, in which case the registration date is the book-  
290 closing date.

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

- 294 1. The applicant's name.
- 295 2. The applicant's legal residence address.
- 296 3. The applicant's date of birth.
- 297 4. A mark in the checkbox affirming ~~An indication~~ that the  
298 applicant is a citizen of the United States.

299 5.a. The applicant's current and valid Florida driver's  
300 license number or, the identification number from a Florida  
301 identification card issued under s. 322.051, or

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

305  
306 In case an applicant has not been issued a current and valid  
307 Florida driver's license, Florida identification card, or social  
308 security number, the applicant shall affirm this fact in the

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309 manner prescribed in the uniform statewide voter registration  
310 application.

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

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

318 8. The original signature or a digital signature  
319 transmitted by the Department of Highway Safety and Motor  
320 Vehicles of the applicant swearing or affirming under the  
321 penalty for false swearing pursuant to s. 104.011 that the  
322 information contained in the registration application is true  
323 and subscribing to the oath required by s. 3, Art. VI of the  
324 State Constitution and s. 97.051.

325 (b) An applicant who fails to designate party affiliation  
326 must be registered without party affiliation. The supervisor  
327 must notify the voter by mail that the voter has been registered  
328 without party affiliation and that the voter may change party  
329 affiliation as provided in s. 97.1031.

330 (6) A voter registration application may be accepted as  
331 valid only after the department has verified the authenticity or  
332 nonexistence of the driver's license number, the Florida  
333 identification card number, or the last four digits of the  
334 social security number provided by the applicant. If a completed  
335 voter registration application has been received by the book-

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336 closing deadline but the driver's license number, the Florida  
337 identification card number, or the last four digits of the  
338 social security number provided by the applicant cannot be  
339 verified prior to the applicant presenting himself or herself to  
340 vote, the applicant shall be provided a provisional ballot. The  
341 provisional ballot shall be counted only if the application is  
342 verified by the end of the canvassing period or if the applicant  
343 presents evidence to the supervisor of elections sufficient to  
344 verify the authenticity of the driver's license number, Florida  
345 identification card number, or last four digits of the social  
346 security number provided on the application no later than 5 p.m.  
347 of the third day following the election.

348 (7) All voter registration applications received by a  
349 voter registration official shall be entered into the statewide  
350 voter registration system within 15 days after receipt. Once  
351 entered, the application shall be immediately forwarded to the  
352 appropriate supervisor of elections.

353 Section 7. Subsections (1), (2), and (3) of section  
354 97.0535, Florida Statutes, are amended to read:

355 97.0535 Special requirements for certain applicants.--

356 (1) Each applicant who registers by mail and who has never  
357 previously voted in the state and who the department has  
358 verified has not been issued a current and valid Florida  
359 driver's license, Florida identification card, or social  
360 security number ~~county~~ shall be required to provide a copy of a  
361 current and valid identification, as provided in subsection (3),  
362 or indicate that he or she is exempt from the requirements prior

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363 to voting. ~~Such~~ ~~The applicant may provide the~~ identification or  
364 indication may be provided at the time of registering, or at any  
365 time prior to voting for the first time in the state county. If  
366 the voter registration application clearly provides information  
367 from which a voter registration official ~~the supervisor~~ can  
368 determine that the applicant meets at least one of the  
369 exemptions in subsection (4), the voter registration official  
370 ~~supervisor~~ shall make the notation on the registration records  
371 of the statewide voter registration system and the applicant  
372 shall not be required to provide the identification required by  
373 this section ~~further information that is required of first time~~  
374 ~~voters who register by mail.~~

375 (2) The voter registration official ~~supervisor of~~  
376 ~~elections~~ shall, upon accepting the voter registration  
377 application submitted pursuant to subsection (1) ~~for an~~  
378 ~~applicant who registered by mail and who has not previously~~  
379 ~~voted in the county~~, determine if the applicant provided the  
380 required identification at the time of registering. If the  
381 required identification was not provided, the supervisor shall  
382 notify the applicant that he or she must provide the  
383 identification prior to voting the first time in the state  
384 county.

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

388 ~~1. Florida driver's license.~~

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389 ~~2. Florida identification card issued by the Department of~~  
390 ~~Highway Safety and Motor Vehicles.~~

391 ~~1.3.~~ United States passport.

392 ~~2.4.~~ Employee badge or identification.

393 ~~3.5.~~ Buyer's club identification.

394 ~~4.6.~~ Debit or credit card.

395 ~~5.7.~~ Military identification.

396 ~~6.8.~~ Student identification.

397 ~~7.9.~~ Retirement center identification.

398 ~~8.10.~~ Neighborhood association identification.

399 ~~9.11.~~ Entertainment identification.

400 ~~10.12.~~ Public assistance identification.

401 (b) The following forms of identification shall be  
402 considered current and valid if they contain the name and  
403 current residence address of the applicant:

404 1. Utility bill.

405 2. Bank statement.

406 3. Government check.

407 4. Paycheck.

408 5. Other government document (excluding voter  
409 identification card).

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

412 97.055 Registration books; when closed for an election.--

413 (1) The registration books must be closed on the 29th day  
414 before each election and must remain closed until after that  
415 election. If an election is called and there are fewer than 29

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416 days before that election, the registration books must be closed  
417 immediately. When the registration books are closed for an  
418 election, only updates to a voter's name, address, and signature  
419 pursuant to ss. 98.077 and 101.045 will be permitted for  
420 purposes of the upcoming election. Voter registration  
421 applications and party changes must be accepted but only for the  
422 purpose of subsequent elections. However, party changes received  
423 between the book-closing date of the first primary election and  
424 the date of the second primary election are not effective until  
425 after the second primary election.

426 Section 9. Section 97.057, Florida Statutes, is amended to  
427 read:

428 97.057 Voter registration by the Department of Highway  
429 Safety and Motor Vehicles.--

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

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

435 (b) Apply for or renew an identification card pursuant to  
436 chapter 322; or

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

439 (2) The Department of Highway Safety and Motor Vehicles  
440 shall:

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

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442 1. Information gathered for the completion of a driver's  
443 license or identification card application, renewal, or change  
444 of address can be automatically transferred to a voter  
445 registration application;

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

449 3. Information provided can also be used to update a voter  
450 registration record;

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

453 5. The particular driver license office in which the  
454 person applies to register to vote or updates a voter  
455 registration record will remain confidential and may be used  
456 only for voter registration purposes.

457 (b) Require a driver's license examiner to inquire orally,  
458 or, if the applicant is hearing impaired, inquire in writing if  
459 ~~the applicant is hearing impaired, and~~ whether the applicant  
460 wishes to register to vote or update a voter registration record  
461 during the completion of a driver's license or identification  
462 card application, renewal, or change of address.

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

465 a. All applicable information received by the Department  
466 of Highway Safety and Motor Vehicles in the course of filling  
467 out the forms necessary under subsection (1) must be transferred  
468 to a voter registration application.

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469           b. The additional necessary information must be obtained  
470 by the driver's license examiner and must not duplicate any  
471 information already obtained while completing the forms required  
472 under subsection (1). ~~and~~

473           c. A voter registration application with all of the  
474 applicant's voter registration information required to establish  
475 the applicant's eligibility pursuant to s. 97.041 must be  
476 presented to the applicant to review and verify the voter  
477 registration information received and provide an electronic  
478 signature affirming the accuracy of the information provided  
479 sign.

480           2. If the applicant declines to register to vote, update  
481 the applicant's voter registration record, or change the  
482 applicant's address by either orally declining or by failing to  
483 sign the voter registration application, the Department of  
484 Highway Safety and Motor Vehicles must note such declination on  
485 its records and shall forward the declination to the statewide  
486 voter registration system ~~keep the declination for 2 years but~~  
487 ~~must forward a copy of the unsigned voter registration~~  
488 ~~application within 5 days after receipt to the appropriate~~  
489 ~~supervisor of elections.~~

490           (3) For the purpose of this section, the Department of  
491 Highway Safety and Motor Vehicles, with the approval of the  
492 Department of State, shall prescribe:

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

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

498 (4) The Department of Highway Safety and Motor Vehicles  
499 must electronically transmit ~~forward~~ completed voter  
500 registration applications within 24 hours after receipt to the  
501 statewide voter registration system. Completed paper voter  
502 registration applications received by the Department of Highway  
503 Safety and Motor Vehicles shall be forwarded within 5 days after  
504 receipt to the supervisor of the county where the office that  
505 processed or received that application is located.

506 (5) The Department of Highway Safety and Motor Vehicles  
507 must send, with each driver's license renewal extension  
508 application authorized pursuant to s. 322.18(8), a uniform  
509 statewide voter registration application, the voter registration  
510 application prescribed under paragraph (3)(a), or a voter  
511 registration application developed especially for the purposes  
512 of this subsection by the Department of Highway Safety and Motor  
513 Vehicles, with the approval of the Department of State, which  
514 must meet the requirements of s. 97.052.

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

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

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

520 (c) Make any statement to an applicant or take any action  
521 the purpose or effect of which is to discourage the applicant  
522 from registering to vote; or

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523 (d) Disclose any applicant's voter registration  
524 information except as needed for the administration of voter  
525 registration.

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

531 ~~(7)(8)~~ The Department of Highway Safety and Motor Vehicles  
532 shall collect data determined necessary by the Department of  
533 State for program evaluation and reporting to the ~~Federal~~  
534 Election Assistance Commission pursuant to federal law ~~the~~  
535 ~~National Voter Registration Act of 1993.~~

536 ~~(8)(9)~~ The Department of Highway Safety and Motor Vehicles  
537 must ensure that all voter registration services provided by  
538 driver license offices are in compliance with the Voting Rights  
539 Act of 1965.

540 (9) The Department of Highway Safety and Motor Vehicles  
541 shall retain complete records of voter registration information  
542 received, processed, and submitted to the statewide voter  
543 registration system by the Department of Highway Safety and  
544 Motor Vehicles. These records shall be for the explicit purpose  
545 of supporting audit and accounting controls established to  
546 ensure accurate and complete electronic transmission of records  
547 between the statewide voter registration system and the  
548 Department of Highway Safety and Motor Vehicles.

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549       (10) The department shall provide the Department of  
550 Highway Safety and Motor Vehicles with an electronic database of  
551 street addresses valid for use as the legal residence address as  
552 required in s. 97.053(5). The Department of Highway Safety and  
553 Motor Vehicles shall compare the address provided by the  
554 applicant against the database of valid street addresses. If the  
555 address provided by the applicant does not match a valid street  
556 address in the database, the applicant will be asked to verify  
557 the address provided. The Department of Highway Safety and Motor  
558 Vehicles shall not reject any application for voter registration  
559 for which a valid match cannot be made.

560       (11) The Department of Highway Safety and Motor Vehicles  
561 shall enter into an agreement with the department to match  
562 information in the statewide voter registration system with  
563 information in the database of the Department of Highway Safety  
564 and Motor Vehicles to the extent required to verify the accuracy  
565 of the driver's license number, Florida identification number,  
566 or last four digits of the social security number provided on  
567 applications for voter registration as required in s. 97.053.

568       (12) The Department of Highway Safety and Motor Vehicles  
569 shall enter into an agreement with the Commissioner of Social  
570 Security as required by the Help America Vote Act of 2002 to  
571 verify the last four digits of the social security number  
572 provided in applications for voter registration as required in  
573 s. 97.053.

574       Section 10. Subsections (6), (7), and (9) of section  
575 97.058, Florida Statutes, are amended to read:

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576 97.058 Voter registration agencies.--

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

581 (7) A voter registration agency must retain declinations  
582 for a period of 2 years, during which time the declinations are  
583 not considered a record of the client pursuant to the laws  
584 governing the agency's records. ~~However, a voter registration~~  
585 ~~agency must forward a copy of each incompleted voter~~  
586 ~~registration application within 5 days after receipt to the~~  
587 ~~appropriate supervisor of elections.~~

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

593 Section 11. Section 97.061, Florida Statutes, is amended  
594 to read:

595 97.061 Special registration for electors requiring  
596 assistance.--

597 (1) Any person who is eligible to register and who is  
598 unable to read or write or who, because of some disability,  
599 needs assistance in voting shall upon that person's request be  
600 registered ~~by the supervisor~~ under the procedure prescribed by  
601 this section and shall be entitled to receive assistance at the

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602 polls under the conditions prescribed by this section. The  
603 department may adopt rules to administer this section.

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

608 (3) The precinct register generated by the supervisor  
609 shall contain ~~Upon registering any person pursuant to this~~  
610 ~~section, the supervisor must make a notation on the registration~~  
611 ~~books or records which are delivered to the polls on election~~  
612 ~~day that such person is eligible for assistance in voting, and~~  
613 ~~the supervisor may issue such person a special registration~~  
614 ~~identification card or make a~~ some notation on the voter  
615 information ~~regular registration identification~~ card that such  
616 person is eligible for assistance in voting. Such person shall  
617 be entitled to receive the assistance of two election officials  
618 or some other person of his or her own choice, other than the  
619 person's employer, the agent of the person's employer, or an  
620 officer or agent of the person's union, without the necessity of  
621 executing the "Declaration to Secure Assistance" prescribed in  
622 s. 101.051. Such person shall notify the supervisor of any  
623 change in his or her condition which makes it unnecessary for  
624 him or her to receive assistance in voting.

625 Section 12. Section 97.071, Florida Statutes, is amended  
626 to read:

627 97.071 Voter information ~~Registration identification~~  
628 card.--

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629           (1) A voter information registration identification card  
630 shall must be furnished by the supervisor to all registered  
631 voters residing in the supervisor's county. The card registering  
632 under the permanent single registration system and must contain:

633           (a) Voter's registration number.

634           (b) Date of registration.

635           (c) Full name.

636           (d) Party affiliation.

637           (e) Date of birth.

638           ~~(f) Race or ethnicity, if provided by the applicant.~~

639           ~~(g) Sex, if provided by the applicant.~~

640           (f)(h) Address of legal residence.

641           (g)(i) Precinct number.

642           (h)(j) Name of supervisor and contact information of  
643 supervisor.

644           ~~(k) Place for voter's signature.~~

645           (i)(l) Other information deemed necessary by the  
646 supervisor department.

647           (2) A voter may receive a replacement voter information ~~of~~  
648 ~~a registration identification card~~ by providing a signed,  
649 written request for a replacement card to a voter registration  
650 official the supervisor. Upon verification of registration, the  
651 supervisor shall issue the voter a duplicate card without  
652 charge.

653           (3) In the case of a change of name, address, or party  
654 affiliation, the supervisor shall must issue the voter a new  
655 voter information registration identification card. However, a

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656 | voter information ~~registration identification~~ card indicating a  
657 | party affiliation change made between the book-closing date for  
658 | the first primary election and the date of the second primary  
659 | election may not be issued until after the second primary  
660 | election.

661 | Section 13. Section 97.073, Florida Statutes, is amended  
662 | to read:

663 | 97.073 Disposition of voter registration applications;  
664 | cancellation notice.--

665 | (1) The supervisor must notify each applicant of the  
666 | disposition of the applicant's voter registration application.  
667 | The notice must inform the applicant that the application has  
668 | been approved, is incomplete, has been denied, or is a duplicate  
669 | of a current registration. A voter information ~~registration~~  
670 | ~~identification~~ card sent to an applicant constitutes notice of  
671 | approval of registration. If the application is incomplete, the  
672 | supervisor must request that the applicant supply the missing  
673 | information using a voter registration application signed by the  
674 | applicant in writing and sign a statement that the additional  
675 | ~~information is true and correct~~. A notice of denial must inform  
676 | the applicant of the reason the application was denied.

677 | (2) Within 2 weeks after approval of a voter registration  
678 | application that indicates that the applicant was previously  
679 | registered in another state jurisdiction, the department  
680 | ~~supervisor~~ must notify the registration official in the prior  
681 | state jurisdiction that the applicant is now registered in this  
682 | state ~~the supervisor's county~~.

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683 Section 14. Section 97.1031, Florida Statutes, is amended  
684 to read:

685 97.1031 Notice of change of residence within the same  
686 county, change of name, or change of party affiliation.--

687 (1) When an elector moves from the address named on that  
688 person's voter registration record to another address within the  
689 state or changes his or her name by marriage or other legal  
690 process same county, the elector shall submit the new  
691 information to a voter registration official using a voter  
692 registration application signed by the elector must provide  
693 notification of such move to the supervisor of elections of that  
694 county. The elector may provide the supervisor a signed, written  
695 notice or may notify the supervisor by telephone or electronic  
696 means. However, notification of such move other than by signed,  
697 written notice must include the elector's date of birth. A voter  
698 information registration identification card reflecting the new  
699 information address of legal residence shall be issued to the  
700 elector as provided in subsection (3)(4).

701 ~~(2) When the name of an elector is changed by marriage or~~  
702 ~~other legal process, the elector must provide a signed, written~~  
703 ~~notification of such change to the supervisor and obtain a~~  
704 ~~registration identification card reflecting the new name.~~

705 (2)(3) When an elector seeks to change party affiliation,  
706 the elector shall ~~must~~ provide notice ~~a signed, written~~  
707 ~~notification~~ of such intent to a voter registration official  
708 using a voter registration application signed by the elector. A  
709 voter information ~~the supervisor and obtain a registration~~

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710 ~~identification~~ card reflecting the new party affiliation shall  
711 be issued by the supervisor to the elector, subject to the  
712 issuance restriction in s. 97.071(3).

713 ~~(3)(4)~~ The voter registration official ~~supervisor~~ shall  
714 make the necessary changes in the elector's records as soon as  
715 practical upon receipt of such notice of a change of address of  
716 legal residence, name, or party affiliation ~~and shall issue the~~  
717 ~~new registration identification card as required by s.~~  
718 ~~97.071(3).~~

719 Section 15. Section 97.105, Florida Statutes, is amended  
720 to read:

721 97.105 Permanent single registration system  
722 established.--A permanent single registration system for the  
723 registration of electors to qualify them to vote in all  
724 elections is provided for the several counties and  
725 municipalities. This system shall be put into use by all  
726 municipalities and shall be in lieu of any other system of  
727 municipal registration. Electors shall be registered pursuant to  
728 ~~in pursuance of~~ this system by a voter registration official ~~the~~  
729 ~~supervisor or by a deputy supervisor~~, and electors registered  
730 shall not thereafter be required to register or reregister  
731 except as provided by law.

732 Section 16. Subsections (3), (10), and (11) of section  
733 98.015, Florida Statutes, are amended, and subsection (12) is  
734 added to that section, to read:

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735 98.015 Supervisor of elections; election, tenure of  
736 office, compensation, custody of books, office hours, successor,  
737 seal; appointment of deputy supervisors; duties.--

738 (3) The supervisor shall update voter registration  
739 information, enter new voter registrations into the statewide  
740 voter registration system, and act as is the official custodian  
741 of documents received by the supervisor related to the  
742 registration of electors and changes in voter registration  
743 status of electors of the supervisor's county ~~the registration~~  
744 ~~books and has the exclusive control of matters pertaining to~~  
745 ~~registration of electors.~~

746 (10) Each supervisor shall ~~must~~ ensure that all voter  
747 registration and list maintenance procedures conducted by such  
748 supervisor are in compliance with any applicable requirements  
749 prescribed by rule of the department through the statewide voter  
750 registration system or prescribed by ~~for that county under the~~  
751 Voting Rights Act of 1965, the National Voter Registration Act  
752 of 1993, or the Help America Vote Act of 2002.

753 (11) Each supervisor shall ensure that any voter  
754 registration system used by the supervisor for administering his  
755 or her duties as a voter registration official complies with the  
756 specifications and procedures established by rule of the  
757 department and the statewide voter registration system ~~Each~~  
758 ~~supervisor of elections shall forward to the property appraiser~~  
759 ~~for the county in which the homestead is claimed the name of the~~  
760 ~~person and the address of the homestead of each person who~~  
761 ~~registers to vote at an address other than that at which the~~

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HOUSE AMENDMENT

Bill No. HB 1589 CS

Amendment No. (for drafter's use only)

762 ~~person claims a homestead exemption, as disclosed on the uniform~~  
763 ~~statewide voter registration application pursuant to s. 97.052.~~

764 (12) Each supervisor shall maintain a list of valid  
765 residential street addresses for purposes of verifying the legal  
766 addresses of voters residing in the supervisor's county. The  
767 supervisor shall make all reasonable efforts to coordinate with  
768 county 911 service providers, property appraisers, the United  
769 States Postal Service, or other agencies as necessary to ensure  
770 the continued accuracy of such list. The supervisor shall  
771 provide the list of valid residential addresses to the statewide  
772 voter registration system in the manner and frequency specified  
773 by rule of the department.

774 Section 17. Section 98.035, Florida Statutes, is created  
775 to read:

776 98.035 Statewide voter registration system;  
777 implementation, operation, and maintenance.--

778 (1) The Secretary of State, as chief election officer of  
779 the state, shall be responsible for implementing, operating, and  
780 maintaining, in a uniform and nondiscriminatory manner, a  
781 single, uniform, official, centralized, interactive,  
782 computerized statewide voter registration system as required by  
783 the Help America Vote Act of 2002. The department may adopt  
784 rules to administer this section.

785 (2) The statewide voter registration system must contain  
786 the name and registration information of every legally  
787 registered voter in the state. All voters shall be assigned a  
788 unique identifier. The system shall be the official list of

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789 registered voters in the state and shall provide secured access  
790 by authorized voter registration officials. The system shall  
791 enable voter registration officials to provide, access, and  
792 update voter registration information.

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

795 (4) The implementation of the statewide voter registration  
796 system shall not prevent any supervisor of elections from  
797 acquiring, maintaining, or using any hardware or software  
798 necessary or desirable to carry out the supervisor's  
799 responsibilities related to the use of voter registration  
800 information or the conduct of elections, provided that such  
801 hardware or software does not conflict with the operation of the  
802 statewide voter registration system.

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

806 Section 18. Section 98.045, Florida Statutes, is amended  
807 to read:

808 98.045 Administration of voter registration.--

809 (1) ELIGIBILITY OF APPLICANT.--The ~~Each~~ supervisor must  
810 ensure that any eligible applicant for voter registration is  
811 registered to vote and that each application for voter  
812 registration is processed in accordance with law. The supervisor  
813 shall determine whether a voter registration applicant is  
814 ineligible based on any of the following:

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

817       (b) The applicant is deceased.

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

820       (d) The applicant has been adjudicated mentally  
821 incapacitated with respect to the right to vote and such right  
822 has not been restored.

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

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

826       (g) The applicant is a fictitious person.

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

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

832       (2) REMOVAL OF REGISTERED VOTERS.--

833       (a) Once a voter is registered, the name of that voter may  
834 not be removed from the statewide voter registration system  
835 books except at the written request of the voter, by reason of  
836 the voter's conviction of a felony or adjudication as mentally  
837 incapacitated with respect to voting, by death of the voter, or  
838 pursuant to a registration list maintenance program or other  
839 registration list maintenance activity conducted pursuant to s.  
840 98.065 ~~or~~ s. 98.075, ~~or s. 98.0977.~~

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841        ~~(b)(2)~~ Information received by a voter registration  
842 official supervisor from an election official in another state  
843 jurisdiction indicating that a registered voter in this state  
844 ~~the supervisor's county~~ has registered to vote in that other  
845 state jurisdiction shall be considered as a written request from  
846 the voter to have the voter's name removed from the statewide  
847 voter registration system books of the supervisor's county.

848        (3) PUBLIC RECORDS ACCESS AND RETENTION. -- ~~Notwithstanding~~  
849 ~~the provisions of ss. 98.095 and 98.0977,~~ Each supervisor shall  
850 maintain for at least 2 years, and make available for public  
851 inspection and copying, all records concerning implementation of  
852 registration list maintenance programs and activities conducted  
853 pursuant to ss. 98.065 and, 98.075, ~~and 98.0977.~~ The records  
854 must include lists of the name and address of each person to  
855 whom a ~~an address confirmation final~~ notice was sent and  
856 information as to whether each such person responded to the  
857 mailing, but may not include any information that is  
858 confidential or exempt from public records requirements under  
859 this code.

860        (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL  
861 STREET ADDRESSES. --

862        (a) The department shall compile and maintain a statewide  
863 electronic database of valid residential street addresses from  
864 the information provided by the supervisors of elections  
865 pursuant to s. 98.015. The department shall evaluate the  
866 information provided by the supervisors of elections to identify

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867 any duplicate addresses and any address that may overlap county  
868 boundaries.

869 (b) The department shall make the statewide database of  
870 valid street addresses available to the Department of Highway  
871 Safety and Motor Vehicles as provided in s. 97.057(10). The  
872 Department of Highway Safety and Motor Vehicles shall use the  
873 database for purposes of validating the legal residential  
874 addresses provided in voter registration applications received  
875 by the Department of Highway Safety and Motor Vehicles.

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

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

881 98.065 Registration list maintenance programs.--

882 (1) The supervisor must conduct a general registration  
883 list maintenance program to protect the integrity of the  
884 electoral process by ensuring the maintenance of accurate and  
885 current voter registration records in the statewide voter  
886 registration system. The program must be uniform,  
887 nondiscriminatory, and in compliance with the Voting Rights Act  
888 of 1965, the National Voter Registration Act of 1993, and the  
889 Help America Vote Act of 2002. As used in this subsection, the  
890 term "nondiscriminatory" applies to and includes persons with  
891 disabilities.

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

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

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

901 (c) Change-of-address information is identified from  
902 returned nonforwardable return-if-undeliverable address  
903 confirmation requests mailed to all registered voters who have  
904 not voted in the last 2 years and who did not make a written  
905 request that their registration records be updated during that  
906 time.

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

913 (4)(a) If the supervisor receives change-of-address  
914 information pursuant to the activities conducted in subsection  
915 (2), from jury notices signed by the voter and returned to the  
916 courts, from the Department of Highway Safety and Motor  
917 Vehicles, or from other sources, which information indicates  
918 that the legal address of a registered voter might have changed,

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919 the supervisor shall send by forwardable return-if-undeliverable  
920 mail an address confirmation notice to the address at which the  
921 voter was last registered. A supervisor may also send an address  
922 confirmation notice to any voter who the supervisor has reason  
923 to believe has moved from his or her legal residence.

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

926 1. If the voter has changed his or her address of legal  
927 residence to a location outside the state, the voter shall mark  
928 that the voter's legal residence has changed to a location  
929 outside the state. The form shall also include information on  
930 how to register in the new state in order to be eligible to  
931 vote. The form must be returned within 30 days after the date of  
932 the notice. The completed form shall constitute a request to be  
933 removed from the statewide voter registration system.

934 2. If the voter has changed his or her address of legal  
935 residence to a location inside the state, the voter shall set  
936 forth the updated or corrected address and submit the return  
937 form within 30 days after the date of the notice. The completed  
938 form shall constitute a request to update the statewide voter  
939 registration system with the updated or corrected address  
940 information.

941 3. If the voter has not changed his or her address of  
942 legal residence as printed on the address confirmation notice,  
943 the voter shall confirm that his or her address of legal  
944 residence has not changed and submit the form within 30 days  
945 after the date of the notice.

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946       (c) The supervisor must designate as inactive all voters  
947 who have been sent an address confirmation notice and who have  
948 not returned the postage prepaid preaddressed return form within  
949 30 days or for which an address confirmation notice has been  
950 returned as undeliverable. Names on the inactive list may not be  
951 used to calculate the number of signatures needed on any  
952 petition. A voter on the inactive list may be restored to the  
953 active list of voters upon the voter updating his or her  
954 registration, requesting an absentee ballot, or appearing to  
955 vote. However, if the voter does not update his or her voter  
956 registration information, request an absentee ballot, or vote by  
957 the second general election after being placed on the inactive  
958 list, the voter's name shall be removed from the statewide voter  
959 registration system and the voter shall be required to  
960 reregister to have his or her name restored to the statewide  
961 voter registration system.

962       (5) A notice may not be issued pursuant to this section  
963 and a voter's name may not be removed from the statewide voter  
964 registration system later than 90 days prior to the date of a  
965 federal election. However, this section does not preclude the  
966 removal of the name of a voter from the statewide voter  
967 registration system at any time upon the voter's written  
968 request, by reason of the voter's death, or upon a determination  
969 of the voter's ineligibility as provided in s. 98.075(7).

970       (6)(a) No later than July 31 and January 31 of each year,  
971 the supervisor must certify to the department the list  
972 maintenance activities conducted during the first 6 months and

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973 | the second 6 months of the year, respectively, including the  
974 | number of address confirmation requests sent, the number of  
975 | voters designated as inactive, and the number of voters removed  
976 | from the statewide voter registration system.

977 | (b) If, based on the certification provided pursuant to  
978 | paragraph (a), the department determines that a supervisor has  
979 | not conducted the list maintenance activities required by this  
980 | section, the department shall conduct the appropriate list  
981 | maintenance activities for that county. Failure to conduct list  
982 | maintenance activities as required in this section constitutes a  
983 | violation of s. 104.051. A voter's name may not be removed from  
984 | the registration books later than 90 days prior to the date of a  
985 | federal election. However, nothing in this section shall  
986 | preclude the removal of the name of a voter from the voter  
987 | registration books, at any time and without prior notification,  
988 | upon the written request of the voter, by reason of conviction  
989 | of the voter of a felony, by reason of adjudication of the voter  
990 | as mentally incapacitated with respect to voting, by reason of  
991 | the death of the voter, or upon a determination of ineligibility  
992 | as provided in s. 98.075(3).

993 | ~~(4) If the supervisor receives change of address~~  
994 | ~~information from the United States Postal Service or its~~  
995 | ~~licensees or from jury notices signed by the voter and returned~~  
996 | ~~to the courts, which indicates that:~~

997 | ~~(a) The voter has moved within the supervisor's county,~~  
998 | ~~the supervisor must change the registration records to show the~~  
999 | ~~new address and must send the voter a notice of the change by~~

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1000 ~~forwardable mail, including a postage prepaid preaddressed~~  
1001 ~~return form with which the voter may verify or correct the~~  
1002 ~~address information.~~

1003 ~~(b) The voter has moved outside the supervisor's county,~~  
1004 ~~or contains no forwarding address, the supervisor shall send an~~  
1005 ~~address confirmation final notice and remove the name of the~~  
1006 ~~voter from the registration record if that voter did not:~~

- 1007 ~~1. Return the postage prepaid preaddressed return form;~~
- 1008 ~~2. Appear to vote;~~
- 1009 ~~3. Change the voter's registration; or~~
- 1010 ~~4. Request an absentee ballot~~

1011  
1012 ~~during the period beginning on the date when the address~~  
1013 ~~confirmation final notice was sent and ending on the day after~~  
1014 ~~the date of the second general election thereafter.~~

1015 ~~(5) The supervisor must designate as inactive all voters~~  
1016 ~~who have been sent an address confirmation final notice and who~~  
1017 ~~have not returned the postage prepaid preaddressed return form~~  
1018 ~~within 30 days. A voter on the inactive list must be allowed to~~  
1019 ~~vote and to change the voter's name or address of legal~~  
1020 ~~residence at the polls pursuant to s. 101.045. Names on the~~  
1021 ~~inactive list may not be used to calculate the number of~~  
1022 ~~signatures needed on any petition or the quantity of voting~~  
1023 ~~equipment needed.~~

1024 Section 20. Section 98.075, Florida Statutes, is amended  
1025 to read:

1026 (Substantial rewording of section. See

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1027 s. 98.075, F.S., for present text.)

1028 98.075 Registration records maintenance activities;  
1029 ineligibility determinations.--

1030 (1) MAINTENANCE OF RECORDS.--The department shall protect  
1031 the integrity of the electoral process by ensuring the  
1032 maintenance of accurate and current voter registration records.  
1033 List maintenance activities must be uniform, nondiscriminatory,  
1034 and in compliance with the Voting Rights Act of 1965, the  
1035 National Voter Registration Act of 1993, and the Help America  
1036 Vote Act of 2002. The department may adopt by rule uniform  
1037 standards and procedures to interpret and administer this  
1038 section.

1039 (2) DUPLICATE REGISTRATION.--The department shall identify  
1040 those voters who are registered more than once or those  
1041 applicants whose registration applications would result in  
1042 duplicate registrations. The most recent application shall be  
1043 deemed an update to the voter registration record.

1044 (3) DECEASED PERSONS.--The department shall identify those  
1045 registered voters who are deceased by comparing information on  
1046 the lists of deceased persons received from the Department of  
1047 Health as provided in s. 98.093. Upon receipt of such  
1048 information through the statewide voter registration system, the  
1049 supervisor shall remove the name of the registered voter.

1050 (4) ADJUDICATION OF MENTAL INCAPACITY.--The department  
1051 shall identify those registered voters who have been adjudicated  
1052 mentally incapacitated with respect to voting and who have not  
1053 had their voting rights restored by comparing information

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1054 received from the clerk of the circuit court as provided in s.  
1055 98.093. The department shall review such information and make an  
1056 initial determination as to whether the information is credible  
1057 and reliable. If the department determines that the information  
1058 is credible and reliable, the department shall notify the  
1059 supervisor and provide a copy of the supporting documentation  
1060 indicating the potential ineligibility of the voter to be  
1061 registered. Upon receipt of the notice that the department has  
1062 made a determination of initial credibility and reliability, the  
1063 supervisor shall adhere to the procedures set forth in  
1064 subsection (7) prior to the removal of a registered voter from  
1065 the statewide voter registration system.

1066 (5) FELONY CONVICTION.--The department shall identify  
1067 those registered voters who have been convicted of a felony and  
1068 whose rights have not been restored by comparing information  
1069 received from, but not limited to, a clerk of the circuit court,  
1070 the Board of Executive Clemency, the Department of Corrections,  
1071 the Department of Law Enforcement, or a United States Attorney's  
1072 Office, as provided in s. 98.093. The department shall review  
1073 such information and make an initial determination as to whether  
1074 the information is credible and reliable. If the department  
1075 determines that the information is credible and reliable, the  
1076 department shall notify the supervisor and provide a copy of the  
1077 supporting documentation indicating the potential ineligibility  
1078 of the voter to be registered. Upon receipt of the notice that  
1079 the department has made a determination of initial credibility  
1080 and reliability, the supervisor shall adhere to the procedures

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1081 set forth in subsection (7) prior to the removal of a registered  
1082 voter's name from the statewide voter registration system.

1083 (6) OTHER BASES FOR INELIGIBILITY.--If the department or  
1084 supervisor receives information other than from the sources  
1085 identified in subsections (2)-(5) that a registered voter does  
1086 not meet the age requirement pursuant to s. 97.041, is not a  
1087 United States citizen, is a fictitious person, or has listed a  
1088 residence that is not his or her legal residence, the supervisor  
1089 shall adhere to the procedures set forth in subsection (7) prior  
1090 to the removal of a registered voter's name from the statewide  
1091 voter registration system.

1092 (7) PROCEDURES FOR REMOVAL.--

1093 (a) If the supervisor receives notice or information  
1094 pursuant to subsections (4)-(6), the supervisor of the county in  
1095 which the voter is registered shall:

1096 1. Notify the registered voter of his or her potential  
1097 ineligibility by mail within 7 days after receipt of notice or  
1098 information. The notice shall include:

1099 a. A statement of the basis for the registered voter's  
1100 potential ineligibility and a copy of any documentation upon  
1101 which the potential ineligibility is based.

1102 b. A statement that failure to respond within 30 days  
1103 after receipt of the notice may result in a determination of  
1104 ineligibility and in removal of the registered voter's name from  
1105 the statewide voter registration system.

1106 c. A return form that requires the registered voter to  
1107 admit or deny the accuracy of the information underlying the

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1108 potential ineligibility for purposes of a final determination by  
1109 the supervisor.

1110 d. A statement that, if the voter is denying the accuracy  
1111 of the information underlying the potential ineligibility, the  
1112 voter has a right to request a hearing for the purpose of  
1113 determining eligibility.

1114 e. Instructions for the registered voter to contact the  
1115 supervisor of elections of the county in which the voter is  
1116 registered if assistance is needed in resolving the matter.

1117 f. Instructions for seeking restoration of civil rights  
1118 following a felony conviction, if applicable.

1119 2. If the mailed notice is returned as undeliverable, the  
1120 supervisor shall publish notice once in a newspaper of general  
1121 circulation in the county in which the voter was last  
1122 registered. The notice shall contain the following:

1123 a. The voter's name and address.

1124 b. A statement that the voter is potentially ineligible to  
1125 be registered to vote.

1126 c. A statement that failure to respond within 30 days  
1127 after the notice is published may result in a determination of  
1128 ineligibility by the supervisor and removal of the registered  
1129 voter's name from the statewide voter registration system.

1130 d. An instruction for the voter to contact the supervisor  
1131 no later than 30 days after the date of the published notice to  
1132 receive information regarding the basis for the potential  
1133 ineligibility and the procedure to resolve the matter.

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1134 e. An instruction to the voter that, if further assistance  
1135 is needed, the voter should contact the supervisor of elections  
1136 of the county in which the voter is registered.

1137 3. If a registered voter fails to respond to a notice  
1138 pursuant to subparagraph 1. or subparagraph 2., the supervisor  
1139 shall make a final determination of the voter's eligibility. If  
1140 the supervisor determines that the voter is ineligible, the  
1141 supervisor shall remove the name of the registered voter from  
1142 the statewide voter registration system. The supervisor shall  
1143 notify the registered voter of the supervisor's determination  
1144 and action.

1145 4. If a registered voter responds to the notice pursuant  
1146 to subparagraph 1. or subparagraph 2. and admits the accuracy of  
1147 the information underlying the potential ineligibility, the  
1148 supervisor shall make a final determination of ineligibility and  
1149 shall remove the voter's name from the statewide voter  
1150 registration system. The supervisor shall notify the registered  
1151 voter of the supervisor's determination and action.

1152 5. If a registered voter responds to the notice issued  
1153 pursuant to subparagraph 1. or subparagraph 2. and denies the  
1154 accuracy of the information underlying the potential  
1155 ineligibility but does not request a hearing, the supervisor  
1156 shall review the evidence and make a final determination of  
1157 eligibility. If such registered voter requests a hearing, the  
1158 supervisor shall send notice to the registered voter to attend a  
1159 hearing at a time and place specified in the notice. Upon  
1160 hearing all evidence presented at the hearing, the supervisor

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1161 shall make a determination of eligibility. If the supervisor  
1162 determines that the registered voter is ineligible, the  
1163 supervisor shall remove the voter's name from the statewide  
1164 voter registration system and notify the registered voter of the  
1165 supervisor's determination and action.

1166 (b) The following shall apply to this subsection:

1167 1. All determinations of eligibility shall be based on a  
1168 preponderance of the evidence.

1169 2. All proceedings are exempt from the provisions of  
1170 chapter 120.

1171 3. Any notice shall be sent to the registered voter by  
1172 certified mail, return receipt requested, or other means that  
1173 provides a verification of receipt or shall be published in a  
1174 newspaper of general circulation where the voter was last  
1175 registered, whichever is applicable.

1176 4. The supervisor shall remove the name of any registered  
1177 voter from the statewide voter registration system only after  
1178 the supervisor makes a final determination that the voter is  
1179 ineligible to vote.

1180 5. Any voter whose name has been removed from the  
1181 statewide voter registration system pursuant to a determination  
1182 of ineligibility may appeal that determination under the  
1183 provisions of s. 98.0755.

1184 6. Any voter whose name was removed from the statewide  
1185 voter registration system on the basis of a determination of  
1186 ineligibility who subsequently becomes eligible to vote must

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1187 reregister in order to have his or her name restored to the  
1188 statewide voter registration system.

1189 (8) CERTIFICATION.--

1190 (a) No later than July 31 and January 31 of each year, the  
1191 supervisor shall certify to the department the activities  
1192 conducted pursuant to this section during the first 6 months and  
1193 the second 6 months of the year, respectively. The certification  
1194 shall include the number of persons to whom notices were sent  
1195 pursuant to subsection (7), the number of persons who responded  
1196 to the notices, the number of notices returned as undeliverable,  
1197 the number of notices published in the newspaper, the number of  
1198 hearings conducted, and the number of persons removed from the  
1199 statewide voter registration systems and the reasons for such  
1200 removals.

1201 (b) If, based on the certification provided pursuant to  
1202 paragraph (a), the department determines that a supervisor has  
1203 not satisfied the requirements of this section, the department  
1204 shall satisfy the appropriate requirements for that county.  
1205 Failure to satisfy the requirements of this section shall  
1206 constitute a violation of s. 104.051.

1207 Section 21. Section 98.0755, Florida Statutes, is created  
1208 to read:

1209 98.0755 Appeal of determination of ineligibility.--Appeal  
1210 of the supervisor's determination of ineligibility pursuant to  
1211 s. 98.075(7) may be taken to the circuit court in and for the  
1212 county where the person was registered. Notice of appeal must be  
1213 filed within the time and in the manner provided by the Florida

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1214 Rules of Appellate Procedure and acts as supersedeas. Trial in  
1215 the circuit court is de novo and governed by the rules of that  
1216 court. Unless the person can show that his or her name was  
1217 erroneously or illegally removed from the statewide voter  
1218 registration system, or that he or she is indigent, the person  
1219 must bear the costs of the trial in the circuit court.  
1220 Otherwise, the cost of the appeal must be paid by the supervisor  
1221 of elections.

1222 Section 22. Section 98.077, Florida Statutes, is amended  
1223 to read:

1224 98.077 Update of voter signature.--

1225 (1) A registered voter may update his or her signature on  
1226 file in the statewide voter registration system at any time  
1227 using a voter registration application submitted to a voter  
1228 registration official.

1229 (2) The department and supervisors ~~supervisor~~ of elections  
1230 shall include in any correspondence, other than postcard  
1231 notifications and notices relating to eligibility, sent to a  
1232 ~~provide to each~~ registered voter information regarding ~~of the~~  
1233 ~~county the opportunity to update his or her signature on file at~~  
1234 ~~the supervisor's office by providing notification of the ability~~  
1235 ~~to do so in any correspondence, other than postcard~~  
1236 ~~notifications, sent to the voter. The notice shall advise when,~~  
1237 where, and how to update the voter's signature and shall provide  
1238 the voter information on how to obtain a voter registration  
1239 application form from a voter registration official which ~~the~~  
1240 ~~supervisor that~~ can be returned to update the signature.

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1241       (3) ~~In addition,~~ At least once during each general  
1242 election year, the supervisor shall publish in a newspaper of  
1243 general circulation or other newspaper in the county deemed  
1244 appropriate by the supervisor a notice specifying when, where,  
1245 or how a voter can update his or her signature that is on file  
1246 and ~~or~~ how a voter can obtain a voter registration application  
1247 ~~form~~ from a voter registration official ~~the supervisor~~ to do so.

1248       (4) All signature updates for use in verifying absentee  
1249 and provisional ballots must be received by the appropriate  
1250 supervisor of elections no later than the start of the  
1251 canvassing of absentee ballots by the canvassing board. The  
1252 signature on file at the start of the canvass of the absentees  
1253 is the signature that shall be used in verifying the signature  
1254 on the absentee and provisional ballot certificates.

1255       Section 23. Section 98.081, Florida Statutes, is amended  
1256 to read:

1257       98.081 Names removed from the statewide voter registration  
1258 system books; restrictions on reregistering; recordkeeping;  
1259 restoration of erroneously or illegally removed names.--

1260       (1) Any person who requested that his or her name be  
1261 removed from the statewide voter registration system books  
1262 between the book-closing date of the first primary and the date  
1263 of the second primary may not register in a different political  
1264 party until after the date of the second primary election.

1265       (2) When the name of any elector is removed from the  
1266 statewide voter registration system books pursuant to s. 98.065  
1267 or, s. 98.075, ~~or s. 98.093~~, the elector's original registration

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1268 application form shall be retained by the supervisor of  
1269 elections having custody of the application ~~filed alphabetically~~  
1270 ~~in the office of the supervisor~~. As alternatives, registrations  
1271 removed from the statewide voter registration system books may  
1272 be microfilmed and such microfilms substituted for the original  
1273 registration applications forms; or, when voter registration  
1274 information, including the voter's signature, is maintained  
1275 digitally or on electronic, magnetic, or optic media, such  
1276 stored information may be substituted for the original  
1277 registration application form. Such microfilms or stored  
1278 information shall be retained by the supervisor of elections  
1279 having in the custody of the supervisor. In the event the  
1280 original registration applications forms are microfilmed or  
1281 maintained digitally or on electronic or other media, such  
1282 originals may be destroyed in accordance with the schedule  
1283 approved by the Bureau of Archives and Records Management of the  
1284 Division of Library and Information Services of the department.

1285 (3) When the name of any elector has been erroneously or  
1286 illegally removed from the statewide voter registration system  
1287 ~~books~~, the name of the elector shall be restored by a voter  
1288 registration official ~~the supervisor~~ upon satisfactory proof,  
1289 even though the registration period for that election is closed.

1290 Section 24. Section 98.093, Florida Statutes, is amended  
1291 to read:

1292 98.093 Duty of officials to furnish lists of deceased  
1293 persons, persons adjudicated mentally incapacitated, and persons  
1294 convicted of a felony.--

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1295           (1) In order to ensure the maintenance of accurate and  
1296 current voter registration records, it is necessary for the  
1297 department to receive certain information from state and federal  
1298 officials and entities. The department and supervisors of  
1299 elections shall use the information provided from the sources in  
1300 subsection (2) to maintain the voter registration records.

1301           (2) To the maximum extent feasible, state and local  
1302 government agencies shall facilitate provision of information  
1303 and access to data to the department, including, but not limited  
1304 to, databases that contain reliable criminal records and records  
1305 of deceased persons. State and local government agencies that  
1306 provide such data shall do so without charge if the direct cost  
1307 incurred by those agencies is not significant.

1308           (a) The Department of Health shall furnish monthly to the  
1309 department ~~each supervisor of elections~~ a list containing the  
1310 name, address, date of birth, date of death, social security  
1311 number, race, and sex of each deceased person 17 years of age or  
1312 ~~older who was a resident of such supervisor's county.~~

1313           (b)~~(2)~~ Each clerk of the circuit court shall furnish  
1314 monthly to the department, at least once each month, deliver to  
1315 ~~each supervisor of elections~~ a list of those persons who have  
1316 been adjudicated mentally incapacitated with respect to voting  
1317 during the preceding calendar month, a list of those persons  
1318 whose mental capacity with respect to voting has been restored  
1319 during the preceding calendar month, and a list of those persons  
1320 who have returned signed jury notices during the preceding  
1321 months to the clerk of the circuit court indicating a change of

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1322 address. Each list shall include ~~stating~~ the name, address, date  
1323 of birth, race, and sex, and, whichever is available, the  
1324 Florida driver's license number, Florida identification card  
1325 number, or social security number of each such person ~~convicted~~  
1326 ~~of a felony during the preceding calendar month who was a~~  
1327 ~~resident of that supervisor's county, a list stating the name,~~  
1328 ~~address, date of birth, race, and sex of each person adjudicated~~  
1329 ~~mentally incapacitated with respect to voting during the~~  
1330 ~~preceding calendar month who was a resident of that supervisor's~~  
1331 ~~county, and a list stating the name, address, date of birth,~~  
1332 ~~race, and sex of each person whose mental capacity with respect~~  
1333 ~~to voting has been restored who was a resident of that~~  
1334 ~~supervisor's county.~~

1335 (c)(3) Upon receipt of information from the United States  
1336 Attorney, listing persons convicted of a felony in federal  
1337 court, the department shall use such information to identify  
1338 registered voters or applicants for voter registration who may  
1339 be potentially ineligible based on information provided in  
1340 accordance with s. 98.075 ~~immediately forward such information~~  
1341 ~~to the supervisor of elections for the county where the offender~~  
1342 ~~resides.~~

1343 (d) The Department of Law Enforcement shall furnish  
1344 monthly to the department a list of those persons who have been  
1345 convicted of a felony in the preceding month or any updates to  
1346 prior records which have occurred in the preceding month. The  
1347 list shall contain the name, address, date of birth, race, sex,  
1348 date of conviction, county of conviction, and social security

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1349 number and a unique identifier of each conviction of each  
1350 person.

1351 (e) The Board of Executive Clemency shall furnish monthly  
1352 to the department a list of those persons granted clemency in  
1353 the preceding month or any updates to prior records which have  
1354 occurred in the preceding month. The list shall contain the  
1355 Board of Executive Clemency case number, name, address, date of  
1356 birth, race, sex, social security number, if available, and  
1357 references to record identifiers assigned by the Department of  
1358 Corrections, a unique identifier of each clemency case, and the  
1359 effective date of clemency of each person.

1360 (f) The Department of Corrections shall furnish monthly to  
1361 the department a list of those persons transferred to the  
1362 Department of Corrections in the preceding month or any updates  
1363 to prior records which have occurred in the preceding month. The  
1364 list shall contain the name, address, date of birth, race, sex,  
1365 social security number, Department of Corrections record  
1366 identification number, and associated Department of Law  
1367 Enforcement felony conviction record number of each person.

1368 (g) The Department of Highway Safety and Motor Vehicles  
1369 shall furnish monthly to the department a list of those persons  
1370 whose names have been removed from the driver's license database  
1371 because they have been licensed in another state. The list shall  
1372 contain the name, address, date of birth, sex, social security  
1373 number, and driver's license number of each such person.

1374 ~~(4) Upon receipt of any such list, the supervisor shall~~  
1375 ~~remove from the registration books the name of any person listed~~

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1376 ~~who is deceased, convicted of a felony, or adjudicated mentally~~  
1377 ~~incapacitated with respect to voting. A person who has had his~~  
1378 ~~or her mental capacity with respect to voting restored or who~~  
1379 ~~has had his or her right to vote restored after conviction of a~~  
1380 ~~felony shall be required to reregister to have his or her name~~  
1381 ~~restored to the registration books.~~

1382 (3)(5) Nothing in this section shall limit or restrict the  
1383 supervisor in his or her duty to remove the names of such  
1384 persons from the statewide voter registration system pursuant to  
1385 s. 98.075(7) based upon ~~books after verification of~~ information  
1386 received from other sources.

1387 Section 25. Section 98.212, Florida Statutes, is amended  
1388 to read:

1389 98.212 Department and supervisors to furnish statistical  
1390 and other information.--

1391 (1)(a) Upon written request, the department and any  
1392 supervisor of the respective counties ~~supervisors~~ shall, as  
1393 promptly as possible, furnish to recognized public or private  
1394 universities and senior colleges within the state, to state or  
1395 county governmental agencies, and to recognized political party  
1396 committees statistical information for the purpose of analyzing  
1397 election returns and results.

1398 (b) The department and any supervisor ~~Supervisors~~ may  
1399 require reimbursement for any part or all of the actual expenses  
1400 of supplying any information requested under paragraph (a). For  
1401 the purposes of this subsection, the department and supervisors

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1402 may use the services of any research and statistical personnel  
1403 that may be supplied.

1404 (c) Lists of names submitted to the department and any  
1405 supervisor of the respective counties ~~supervisors~~ for indication  
1406 of registration or nonregistration or of party affiliation shall  
1407 be processed at any time at cost, except that in no case shall  
1408 the charge exceed 10 cents for each name on which the  
1409 information is furnished.

1410 (2) The supervisors shall provide information as requested  
1411 by the department for program evaluation and reporting to the  
1412 ~~Federal~~-Election Assistance Commission pursuant to federal law  
1413 ~~the National Voter Registration Act of 1993.~~

1414 Section 26. Section 98.461, Florida Statutes, is amended  
1415 to read:

1416 98.461 Registration application form, precinct register;  
1417 contents.--

1418 (1) A registration application form, approved by the  
1419 Department of State, containing the information required in s.  
1420 97.052 shall be retained by the supervisor of elections of the  
1421 county of the applicant's registration ~~filed alphabetically in~~  
1422 ~~the office of the supervisor as the master list of electors of~~  
1423 ~~the county.~~ However, the registration application forms may be  
1424 microfilmed and such microfilm ~~microfilms~~ substituted for the  
1425 original registration application forms; or, when voter  
1426 registration information, including the voter's signature, is  
1427 maintained digitally or on electronic, magnetic, or optic media,  
1428 such stored information may be substituted for the original

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1429 registration application form. Such microfilms or stored  
1430 information shall be retained in the custody of the supervisor  
1431 of elections of the county of the applicant's registration. In  
1432 the event the original registration applications forms are  
1433 microfilmed or maintained digitally or on electronic or other  
1434 media, such originals may be destroyed in accordance with the  
1435 schedule approved by the Bureau of Archives and Records  
1436 Management of the Division of Library and Information Services  
1437 of the Department of State. ~~As an alternative, the information~~  
1438 ~~from the registration form, including the signature, may be~~  
1439 ~~electronically reproduced and stored as provided in s. 98.451.~~

1440 (2) A computer printout or electronic database shall be  
1441 used at the polls as a precinct register ~~in lieu of the~~  
1442 ~~registration books~~. The precinct register shall contain the date  
1443 of the election, the precinct number, and the following  
1444 information concerning each registered elector: last name, first  
1445 name, ~~and~~ middle name or initial, and suffix; party affiliation;  
1446 residence address; registration number; date of birth; sex, if  
1447 provided; race, if provided; whether the voter needs assistance  
1448 in voting; and such other additional information as to readily  
1449 identify the elector. The precinct register shall also contain a  
1450 space for the elector's signature and a space for the initials  
1451 of the witnessing clerk or inspector or an electronic device may  
1452 be provided for this purpose.

1453 Section 27. Effective January 1, 2007, section 100.371,  
1454 Florida Statutes, as amended by section 9 of chapter 2002-281,  
1455 Laws of Florida, is amended to read:

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1456 100.371 Initiatives; procedure for placement on ballot.--  
1457 (1) Constitutional amendments proposed by initiative shall  
1458 be placed on the ballot for the general election provided the  
1459 initiative has been filed with occurring in excess of 90 days  
1460 from the certification of ballot position by the Secretary of  
1461 State no later than February 1 of the year the general election  
1462 is held. A petition shall be deemed to be filed with the  
1463 Secretary of State upon the date the secretary determines that  
1464 the petition has been signed by the constitutionally required  
1465 number of electors.

1466 ~~(2) Such certification shall be issued when the Secretary~~  
1467 ~~of State has received verification certificates from the~~  
1468 ~~supervisors of elections indicating that the requisite number~~  
1469 ~~and distribution of valid signatures of electors have been~~  
1470 ~~submitted to and verified by the supervisors. Every signature~~  
1471 ~~shall be dated when made and shall be valid for a period of 4~~  
1472 ~~years following such date, provided all other requirements of~~  
1473 ~~law are complied with.~~

1474 (2)(3) The sponsor of an initiative amendment shall, prior  
1475 to obtaining any signatures, register as a political committee  
1476 pursuant to s. 106.03 and submit the text of the proposed  
1477 amendment to the Secretary of State, with the form on which the  
1478 signatures will be affixed, and shall obtain the approval of the  
1479 Secretary of State of such form. The Secretary of State shall  
1480 adopt rules pursuant to s. 120.54 prescribing the style and  
1481 requirements of such form. Upon filing with the Secretary of  
1482 State, the text of the proposed amendment and all forms filed in

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1483 connection with this section must, upon request, be made  
1484 available in alternative formats.

1485 (3)(4) Each signature shall be dated when made and shall  
1486 be valid for a period of 4 years following such date, provided  
1487 all other requirements of law are met. The sponsor shall submit  
1488 signed and dated forms to the appropriate supervisor of  
1489 elections for verification as to the number of registered  
1490 electors whose valid signatures appear thereon. The supervisor  
1491 shall promptly verify the signatures upon payment of the fee  
1492 required by s. 99.097. The supervisor shall promptly record each  
1493 valid signature in the statewide voter registration system in  
1494 the manner prescribed by the Secretary of State. ~~Upon completion~~  
1495 ~~of verification, the supervisor shall execute a certificate~~  
1496 ~~indicating the total number of signatures checked, the number of~~  
1497 ~~signatures verified as valid and as being of registered~~  
1498 ~~electors, and the distribution by congressional district. This~~  
1499 ~~certificate shall be immediately transmitted to the Secretary of~~  
1500 ~~State.~~ The supervisor shall retain the signature forms for at  
1501 least 1 year following the election in which the issue appeared  
1502 on the ballot or until the Division of Elections notifies the  
1503 supervisors of elections that the committee which circulated the  
1504 petition is no longer seeking to obtain ballot position.

1505 (4)(5) The Secretary of State shall determine from the  
1506 signatures verified by the verification certificates received  
1507 ~~from~~ supervisors of elections and recorded in the statewide  
1508 voter registration system the total number of verified valid  
1509 signatures and the distribution of such signatures by

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1510 congressional districts. Upon a determination that the requisite  
1511 number and distribution of valid signatures have been obtained,  
1512 the secretary shall issue a certificate of ballot position for  
1513 that proposed amendment and shall assign a designating number  
1514 pursuant to s. 101.161. ~~A petition shall be deemed to be filed~~  
1515 ~~with the Secretary of State upon the date of the receipt by the~~  
1516 ~~secretary of a certificate or certificates from supervisors of~~  
1517 ~~elections indicating the petition has been signed by the~~  
1518 ~~constitutionally required number of electors.~~

1519 (5)~~(6)~~(a) Within 45 days after receipt of a proposed  
1520 revision or amendment to the State Constitution by initiative  
1521 petition from the Secretary of State ~~or, within 30 days after~~  
1522 ~~such receipt if receipt occurs 120 days or less before the~~  
1523 ~~election at which the question of ratifying the amendment will~~  
1524 ~~be presented~~, the Financial Impact Estimating Conference shall  
1525 complete an analysis and financial impact statement to be placed  
1526 on the ballot of the estimated increase or decrease in any  
1527 revenues or costs to state or local governments resulting from  
1528 the proposed initiative. The Financial Impact Estimating  
1529 Conference shall submit the financial impact statement to the  
1530 Attorney General and Secretary of State.

1531 (b)1. The Financial Impact Estimating Conference shall  
1532 provide an opportunity for any proponents or opponents of the  
1533 initiative to submit information and may solicit information or  
1534 analysis from any other entities or agencies, including the  
1535 Office of Economic and Demographic Research. All meetings of the

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1536 Financial Impact Estimating Conference shall be open to the  
1537 public as provided in chapter 286.

1538       2. The Financial Impact Estimating Conference is  
1539 established to review, analyze, and estimate the financial  
1540 impact of amendments to or revisions of the State Constitution  
1541 proposed by initiative. The Financial Impact Estimating  
1542 Conference shall consist of four principals: one person from the  
1543 Executive Office of the Governor; the coordinator of the Office  
1544 of Economic and Demographic Research, or his or her designee;  
1545 one person from the professional staff of the Senate; and one  
1546 person from the professional staff of the House of  
1547 Representatives. Each principal shall have appropriate fiscal  
1548 expertise in the subject matter of the initiative. A Financial  
1549 Impact Estimating Conference may be appointed for each  
1550 initiative.

1551       3. Principals of the Financial Impact Estimating  
1552 Conference shall reach a consensus or majority concurrence on a  
1553 clear and unambiguous financial impact statement, no more than  
1554 75 words in length, and immediately submit the statement to the  
1555 Attorney General. Nothing in this subsection prohibits the  
1556 Financial Impact Estimating Conference from setting forth a  
1557 range of potential impacts in the financial impact statement.  
1558 Any financial impact statement that a court finds not to be in  
1559 accordance with this section shall be remanded solely to the  
1560 Financial Impact Estimating Conference for redrafting. The  
1561 Financial Impact Estimating Conference shall redraft the  
1562 financial impact statement within 15 days.

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1563           4. If the members of the Financial Impact Estimating  
1564 Conference are unable to agree on the statement required by this  
1565 subsection, or if the Supreme Court has rejected the initial  
1566 submission by the Financial Impact Estimating Conference and no  
1567 redraft has been approved by the Supreme Court by 5 p.m. on the  
1568 75th day before the election, the following statement shall  
1569 appear on the ballot pursuant to s. 101.161(1): "The financial  
1570 impact of this measure, if any, cannot be reasonably determined  
1571 at this time."

1572           (c) The financial impact statement must be separately  
1573 contained and be set forth after the ballot summary as required  
1574 in s. 101.161(1).

1575           (d)1. Any financial impact statement that the Supreme  
1576 Court finds not to be in accordance with this subsection shall  
1577 be remanded solely to the Financial Impact Estimating Conference  
1578 for redrafting, provided the court's advisory opinion is  
1579 rendered at least 75 days before the election at which the  
1580 question of ratifying the amendment will be presented. The  
1581 Financial Impact Estimating Conference shall prepare and adopt a  
1582 revised financial impact statement no later than 5 p.m. on the  
1583 15th day after the date of the court's opinion.

1584           2. If, by 5 p.m. on the 75th day before the election, the  
1585 Supreme Court has not issued an advisory opinion on the initial  
1586 financial impact statement prepared by the Financial Impact  
1587 Estimating Conference for an initiative amendment that otherwise  
1588 meets the legal requirements for ballot placement, the financial

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1589 impact statement shall be deemed approved for placement on the  
1590 ballot.

1591 3. In addition to the financial impact statement required  
1592 by this subsection, the Financial Impact Estimating Conference  
1593 shall draft an initiative financial information statement. The  
1594 initiative financial information statement should describe in  
1595 greater detail than the financial impact statement any projected  
1596 increase or decrease in revenues or costs that the state or  
1597 local governments would likely experience if the ballot measure  
1598 were approved. If appropriate, the initiative financial  
1599 information statement may include both estimated dollar amounts  
1600 and a description placing the estimated dollar amounts into  
1601 context. The initiative financial information statement must  
1602 include both a summary of not more than 500 words and additional  
1603 detailed information that includes the assumptions that were  
1604 made to develop the financial impacts, workpapers, and any other  
1605 information deemed relevant by the Financial Impact Estimating  
1606 Conference.

1607 4. The Department of State shall have printed, and shall  
1608 furnish to each supervisor of elections, a copy of the summary  
1609 from the initiative financial information statements. The  
1610 supervisors shall have the summary from the initiative financial  
1611 information statements available at each polling place and at  
1612 the main office of the supervisor of elections upon request.

1613 5. The Secretary of State and the Office of Economic and  
1614 Demographic Research shall make available on the Internet each  
1615 initiative financial information statement in its entirety. In

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1616 addition, each supervisor of elections whose office has a  
1617 website shall post the summary from each initiative financial  
1618 information statement on the website. Each supervisor shall  
1619 include the Internet addresses for the information statements on  
1620 the Secretary of State's and the Office of Economic and  
1621 Demographic Research's websites in the publication or mailing  
1622 required by s. 101.20.

1623 ~~(6)(7)~~ The Department of State may adopt rules in  
1624 accordance with s. 120.54 to carry out the provisions of  
1625 subsections (1)-(5) ~~(1)-(6)~~.

1626 Section 28. Subsections (1) and (3) of section 101.043,  
1627 Florida Statutes, are amended to read:

1628 101.043 Identification required at polls.--

1629 (1) The precinct register, as prescribed in s. 98.461,  
1630 shall be used at the polls ~~in lieu of the registration books~~ for  
1631 the purpose of identifying the elector at the polls prior to  
1632 allowing him or her to vote. The clerk or inspector shall  
1633 require each elector, upon entering the polling place, to  
1634 present one of the following a current and valid picture  
1635 identifications:

1636 (a) Florida driver's license.

1637 (b) Florida identification card issued by the Department  
1638 of Highway Safety and Motor Vehicles.

1639 (c) United States passport.

1640 (d) Employee badge or identification.

1641 (e) Buyer's club identification.

1642 (f) Debit or credit card.

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- 1643        (g) Military identification.  
1644        (h) Student identification.  
1645        (i) Retirement center identification.  
1646        (j) Neighborhood association identification.  
1647        (k) Entertainment identification.  
1648        (l) Public assistance identification as provided in s.  
1649 97.0535(3)(a).

1650

1651 If the picture identification does not contain the signature of  
1652 the voter, an additional identification that provides the  
1653 voter's signature shall be required. The elector shall sign his  
1654 or her name in the space provided on the precinct register or on  
1655 an electronic device provided for recording the voter's  
1656 signature. ~~and~~ The clerk or inspector shall compare the  
1657 signature with that on the identification provided by the  
1658 elector and enter his or her initials in the space provided on  
1659 the precinct register or on an electronic device provided for  
1660 that purpose and allow the elector to vote if the clerk or  
1661 inspector is satisfied as to the identity of the elector.

1662        (3) If the elector who fails to furnish the required  
1663 identification is an elector subject to s. 97.0535 ~~a first-time~~  
1664 ~~voter who registered by mail~~ and has not provided the required  
1665 identification to a voter registration official ~~the supervisor~~  
1666 ~~of elections~~ prior to election day, the elector shall be allowed  
1667 to vote a provisional ballot. The canvassing board shall  
1668 determine the validity of the ballot pursuant to s. 101.048(2).

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1669 Section 29. Subsections (2) and (3) of section 101.045,  
1670 Florida Statutes, are amended to read:

1671 101.045 Electors must be registered in precinct;  
1672 provisions for residence or name change.--

1673 (2)(a) An elector who moves from the precinct ~~within the~~  
1674 ~~county~~ in which the elector is registered may be permitted to  
1675 vote in the precinct to which he or she has moved his or her  
1676 legal residence, provided such elector completes an affirmation  
1677 in substantially the following form:

1678 Change of Legal Residence of Registered  
1679 Voter

1680  
1681  
1682 Under penalties for false swearing, I, (Name of voter) , swear  
1683 (or affirm) that the former address of my legal residence was  
1684 (Address of legal residence) in the municipality of \_\_\_\_\_, in  
1685 \_\_\_\_\_ County, Florida, and I was registered to vote in the \_\_\_\_\_  
1686 precinct of \_\_\_\_\_ County, Florida; that I have not voted in the  
1687 precinct of my former registration in this election; that I now  
1688 reside at (Address of legal residence) in the Municipality of  
1689 \_\_\_\_\_, in \_\_\_\_\_ County, Florida, and am therefore eligible to  
1690 vote in the \_\_\_\_\_ precinct of \_\_\_\_\_ County, Florida; and I  
1691 further swear (or affirm) that I am otherwise legally registered  
1692 and entitled to vote.

1693  
1694 (Signature of voter whose address of legal  
1695 residence has changed)

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1696  
 1697 (b) An elector whose name changes because of marriage or  
 1698 other legal process may be permitted to vote, provided such  
 1699 elector completes an affirmation in substantially the following  
 1700 form:

1701 Change of Name of Registered  
 1702 Voter

1703  
 1704  
 1705 Under penalties for false swearing, I,  
 1706 (New name of voter) , swear (or affirm) that my name has been  
 1707 changed  
 1708 because of marriage or other legal process. My former name and  
 1709 address of legal residence appear on the registration records  
 1710 ~~books~~ of precinct \_\_\_\_\_ as follows:

- 1711
- 1712 Name
- 1713
- 1714 Address
- 1715
- 1716 Municipality
- 1717
- 1718 County
- 1719
- 1720 Florida, Zip
- 1721

1722 My present name and address of legal residence are as follows:

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1723  
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1745  
1746  
1747  
1748  
1749

Name

Address

Municipality

County

Florida, Zip

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

(Signature of voter whose name has changed)

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

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1750 (d) Instead of the affirmation contained in paragraph (a)  
1751 or paragraph (b), an elector may complete a voter registration  
1752 application that indicates the change of name or change of  
1753 address of legal residence.

1754 ~~(e) A request for an absentee ballot pursuant to s. 101.62~~  
1755 ~~which indicates that the elector has had a change of address of~~  
1756 ~~legal residence from that in the supervisor's records shall be~~  
1757 ~~sufficient as the notice to the supervisor of change of address~~  
1758 ~~of legal residence required by this section. Upon receipt of~~  
1759 ~~such request for an absentee ballot from an elector who has~~  
1760 ~~changed his or her address of legal residence, the supervisor~~  
1761 ~~shall provide the elector with the proper ballot for the~~  
1762 ~~precinct in which the elector then has his or her legal~~  
1763 ~~residence.~~

1764 ~~(3) When an elector's name does not appear on the~~  
1765 ~~registration books of the election precinct in which the elector~~  
1766 ~~is registered, the elector may have his or her name restored if~~  
1767 ~~the supervisor is otherwise satisfied that the elector is~~  
1768 ~~validly registered, that the elector's name has been erroneously~~  
1769 ~~omitted from the books, and that the elector is entitled to have~~  
1770 ~~his or her name restored. The supervisor, if he or she is~~  
1771 ~~satisfied as to the elector's previous registration, shall allow~~  
1772 ~~such person to vote and shall thereafter issue a duplicate~~  
1773 ~~registration identification card.~~

1774 Section 30. Subsection (1) of section 101.048, Florida  
1775 Statutes, is amended to read:

1776 101.048 Provisional ballots.--

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1777 (1) At all elections, a voter claiming to be properly  
1778 registered in the state ~~county~~ and eligible to vote at the  
1779 precinct in the election, but whose eligibility cannot be  
1780 determined, and other persons specified in the code shall be  
1781 entitled to vote a provisional ballot. Once voted, the  
1782 provisional ballot shall be placed in a secrecy envelope and  
1783 thereafter sealed in a provisional ballot envelope. The  
1784 provisional ballot shall be deposited in a ballot box. All  
1785 provisional ballots shall remain sealed in their envelopes for  
1786 return to the supervisor of elections. The department shall  
1787 prescribe the form of the provisional ballot envelope.

1788 Section 31. Subsection (1) of section 101.161, Florida  
1789 Statutes, is amended to read:

1790 101.161 Referenda; ballots.--

1791 (1) Whenever a constitutional amendment or other public  
1792 measure is submitted to the vote of the people, the substance of  
1793 such amendment or other public measure shall be printed in clear  
1794 and unambiguous language on the ballot after the list of  
1795 candidates, followed by the word "yes" and also by the word  
1796 "no," and shall be styled in such a manner that a "yes" vote  
1797 will indicate approval of the proposal and a "no" vote will  
1798 indicate rejection. The wording of the substance of the  
1799 amendment or other public measure and the ballot title to appear  
1800 on the ballot shall be embodied in the joint resolution,  
1801 constitutional revision commission proposal, constitutional  
1802 convention proposal, taxation and budget reform commission  
1803 proposal, or enabling resolution or ordinance. Except for

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1804 amendments and ballot language proposed by joint resolution, the  
1805 substance of the amendment or other public measure shall be an  
1806 explanatory statement, not exceeding 75 words in length, of the  
1807 chief purpose of the measure. In addition, for every amendment  
1808 proposed by initiative, the ballot shall include, following the  
1809 ballot summary, a separate financial impact statement concerning  
1810 the measure prepared by the Financial Impact Estimating  
1811 Conference in accordance with s. 100.371(5)(6). The ballot title  
1812 shall consist of a caption, not exceeding 15 words in length, by  
1813 which the measure is commonly referred to or spoken of.

1814 Section 32. Subsection (2) of section 101.56062, Florida  
1815 Statutes, as created by chapter 2002-281, Laws of Florida, is  
1816 amended to read:

1817 101.56062 Standards for accessible voting systems.--

1818 (2) Such voting system must include at least one  
1819 accessible voter interface device installed in each polling  
1820 place ~~precinct~~ which meets the requirements of this section,  
1821 except for paragraph (1)(d).

1822 Section 33. Subsection (1) of section 101.5608, Florida  
1823 Statutes, is amended to read:

1824 101.5608 Voting by electronic or electromechanical method;  
1825 procedures.--

1826 (1) Each elector desiring to vote shall be identified to  
1827 the clerk or inspector of the election as a duly qualified  
1828 elector of such election and shall sign his or her name on the  
1829 ~~in ink or indelible pencil to an identification blank, signature~~  
1830 ~~slip, precinct register, or~~ other form or device provided by the

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1831 ~~supervisor ballot stub on which the ballot serial number may be~~  
1832 ~~recorded.~~ The inspector shall compare the signature with the  
1833 signature on the identification provided by the elector. If the  
1834 inspector is reasonably sure that the person is entitled to  
1835 vote, the inspector shall provide the person with a ballot.

1836 Section 34. Effective August 1, 2006, section 101.573,  
1837 Florida Statutes, is created to read:

1838 101.573 Record of votes by precinct.--

1839 (1) Within 75 days after the date of a municipal election  
1840 or runoff, whichever occurs later, a presidential preference  
1841 primary, or a general election, the supervisor of elections  
1842 shall file with the Department of State precinct-level election  
1843 results for that election cycle, including any primary  
1844 elections. Precinct-level election results shall record for each  
1845 precinct the returns of ballots cast at the precinct location to  
1846 which have been added the returns of absentee and early ballots  
1847 cast by voters registered in the precinct.

1848 (2) The Department of State shall adopt rules pursuant to  
1849 ss. 120.536(1) and 120.54 prescribing the form by which  
1850 supervisors of elections shall submit election results for each  
1851 precinct.

1852 Section 35. Paragraph (a) of subsection (4) of section  
1853 101.62, Florida Statutes, is amended to read:

1854 101.62 Request for absentee ballots.--

1855 (4)(a) To each absent qualified elector overseas who has  
1856 requested an absentee ballot, the supervisor of elections shall,  
1857 not fewer than 35 days before the first primary election, mail

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1858 an absentee ballot. Not fewer than 45 days before the second  
1859 primary and general election, the supervisor of elections shall  
1860 mail an advance absentee ballot to those persons requesting  
1861 ballots for such elections. The advance absentee ballot for the  
1862 second primary shall be the same as the first primary absentee  
1863 ballot as to the names of candidates, except that for any  
1864 offices where there are only two candidates, those offices and  
1865 all political party executive committee offices shall be  
1866 omitted. Except as provided in ss. 99.063(4) and 100.371(5)~~(6)~~,  
1867 the advance absentee ballot for the general election shall be as  
1868 specified in s. 101.151, except that in the case of candidates  
1869 of political parties where nominations were not made in the  
1870 first primary, the names of the candidates placing first and  
1871 second in the first primary election shall be printed on the  
1872 advance absentee ballot. The advance absentee ballot or advance  
1873 absentee ballot information booklet shall be of a different  
1874 color for each election and also a different color from the  
1875 absentee ballots for the first primary, second primary, and  
1876 general election. The supervisor shall mail an advance absentee  
1877 ballot for the second primary and general election to each  
1878 qualified absent elector for whom a request is received until  
1879 the absentee ballots are printed. The supervisor shall enclose  
1880 with the advance second primary absentee ballot and advance  
1881 general election absentee ballot an explanation stating that the  
1882 absentee ballot for the election will be mailed as soon as it is  
1883 printed; and, if both the advance absentee ballot and the  
1884 absentee ballot for the election are returned in time to be

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1885 counted, only the absentee ballot will be counted. The  
1886 Department of State may prescribe by rule the requirements for  
1887 preparing and mailing absentee ballots to absent qualified  
1888 electors overseas.

1889 Section 36. Subsection (3) is added to section 101.64,  
1890 Florida Statutes, to read:

1891 101.64 Delivery of absentee ballots; envelopes; form.--

1892 (3) The supervisor shall mark, code, indicate on, or  
1893 otherwise track the precinct of the absent elector for each  
1894 absentee ballot.

1895 Section 37. Paragraph (a) of subsection (1) of section  
1896 101.657, Florida Statutes, is amended to read:

1897 101.657 Early voting.--

1898 (1)(a) The supervisor of elections shall allow an elector  
1899 to vote early in the main or branch office of the supervisor by  
1900 depositing the voted ballot in a voting device used by the  
1901 supervisor to collect or tabulate ballots. The supervisor shall  
1902 mark, code, indicate on, or otherwise track the voter's precinct  
1903 for each early voted ballot. In order for a branch office to be  
1904 used for early voting, it shall be a full-service facility of  
1905 the supervisor and shall have been designated as such at least 1  
1906 year prior to the election. The supervisor may designate any  
1907 city hall or public library as early voting sites; however, if  
1908 so designated, the sites must be geographically located so as to  
1909 provide all voters in the county an equal opportunity to cast a  
1910 ballot, insofar as is practicable. The results or tabulation may  
1911 not be made before the close of the polls on election day.

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1912 Section 38. Section 101.663, Florida Statutes, is amended  
1913 to read:

1914 101.663 Electors; change of residence to another state.--

1915 ~~(1) An elector who changes his or her residence to another~~  
1916 ~~county in Florida from the county in Florida in which he or she~~  
1917 ~~is registered as an elector after the books in the county to~~  
1918 ~~which the elector has changed his or her residence are closed~~  
1919 ~~for any general, primary, or special election shall be permitted~~  
1920 ~~to vote absentee in the county of his or her former residence in~~  
1921 ~~that election for President and Vice President, United States~~  
1922 ~~Senator, statewide offices, and statewide issues. Such person~~  
1923 ~~shall not be permitted to vote in the county of the person's~~  
1924 ~~former residence after the general election.~~

1925 (2) An elector registered in this state who moves his or  
1926 her permanent residence to another state and who is prohibited  
1927 by the laws of that state from voting for the offices of  
1928 President and Vice President of the United States shall be  
1929 permitted to vote absentee in the county of his or her former  
1930 residence for those offices.

1931 Section 39. Subsection (1) of section 101.6921, Florida  
1932 Statutes, is amended to read:

1933 101.6921 Delivery of special absentee ballot to certain  
1934 first-time voters.--

1935 (1) The provisions of this section apply to voters who are  
1936 subject to the provisions of s. 97.0535 ~~registered to vote by~~  
1937 ~~mail, who have not previously voted in the county,~~ and who have

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1938 not provided the identification or certification required by s.  
1939 97.0535 by the time the absentee ballot is mailed.

1940 Section 40. Section 101.6923, Florida Statutes, is amended  
1941 to read:

1942 101.6923 Special absentee ballot instructions for certain  
1943 first-time voters.--

1944 (1) The provisions of this section apply to voters who are  
1945 subject to the provisions of s. 97.0535 ~~registered to vote by~~  
1946 ~~mail, who have not previously voted in the county,~~ and who have  
1947 not provided the identification or information required by s.  
1948 97.0535 by the time the absentee ballot is mailed.

1949 (2) A voter covered by this section shall be provided with  
1950 ~~the following~~ printed instructions with his or her absentee  
1951 ballot in substantially the following form:

1952 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.  
1953 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT  
1954 TO COUNT.

1955 1. In order to ensure that your absentee ballot will be  
1956 counted, it should be completed and returned as soon as possible  
1957 so that it can reach the supervisor of elections of the county  
1958 in which your precinct is located no later than 7 p.m. on the  
1959 date of the election.

1960 2. Mark your ballot in secret as instructed on the ballot.  
1961 You must mark your own ballot unless you are unable to do so  
1962 because of blindness, disability, or inability to read or write.

1963 3. Mark only the number of candidates or issue choices for  
1964 a race as indicated on the ballot. If you are allowed to "Vote

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1965 for One" candidate and you vote for more than one, your vote in  
1966 that race will not be counted.

1967 4. Place your marked ballot in the enclosed secrecy  
1968 envelope and seal the envelope.

1969 5. Insert the secrecy envelope into the enclosed envelope  
1970 bearing the Voter's Certificate. Seal the envelope and  
1971 completely fill out the Voter's Certificate on the back of the  
1972 envelope.

1973 a. You must sign your name on the line above (Voter's  
1974 Signature).

1975 b. If you are an overseas voter, you must include the date  
1976 you signed the Voter's Certificate on the line above (Date) or  
1977 your ballot may not be counted.

1978 6. Unless you meet one of the exemptions in Item 7., you  
1979 must make a copy of one of the following forms of  
1980 identification:

1981 a. Identification which must include your name and  
1982 photograph: ~~current and valid Florida driver's license; Florida~~  
1983 ~~identification card issued by the Department of Highway Safety~~  
1984 ~~and Motor Vehicles;~~ United States passport; employee badge or  
1985 identification; buyer's club identification card; debit or  
1986 credit card; military identification; student identification;  
1987 retirement center identification; neighborhood association  
1988 identification; entertainment identification; or public  
1989 assistance identification; or

1990 b. Identification which shows your name and current  
1991 residence address: current utility bill, bank statement,

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1992 government check, paycheck, or government document (excluding  
1993 voter identification card).

1994 7. The identification requirements of Item 6. do not apply  
1995 if you meet one of the following requirements:

1996 a. You are 65 years of age or older.

1997 b. You have a temporary or permanent physical disability.

1998 c. You are a member of a uniformed service on active duty  
1999 who, by reason of such active duty, will be absent from the  
2000 county on election day.

2001 d. You are a member of the Merchant Marine who, by reason  
2002 of service in the Merchant Marine, will be absent from the  
2003 county on election day.

2004 e. You are the spouse or dependent of a member referred to  
2005 in paragraph c. or paragraph d. who, by reason of the active  
2006 duty or service of the member, will be absent from the county on  
2007 election day.

2008 f. You are currently residing outside the United States.

2009 8. Place the envelope bearing the Voter's Certificate into  
2010 the mailing envelope addressed to the supervisor. Insert a copy  
2011 of your identification in the mailing envelope. DO NOT PUT YOUR  
2012 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
2013 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
2014 BALLOT WILL NOT COUNT.

2015 9. Mail, deliver, or have delivered the completed mailing  
2016 envelope. Be sure there is sufficient postage if mailed.

2017 10. FELONY NOTICE. It is a felony under Florida law to  
2018 accept any gift, payment, or gratuity in exchange for your vote

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2019 for a candidate. It is also a felony under Florida law to vote  
2020 in an election using a false identity or false address, or under  
2021 any other circumstances making your ballot false or fraudulent.

2022 Section 41. Subsection (3) of section 102.012, Florida  
2023 Statutes, is amended to read:

2024 102.012 Inspectors and clerks to conduct elections.--

2025 (3) The supervisor shall furnish inspectors of election  
2026 for each precinct with the list of registered electors for that  
2027 precinct ~~registration books divided alphabetically as will best~~  
2028 ~~facilitate the holding of an election.~~ The supervisor shall also  
2029 furnish to the inspectors of election at the polling place at  
2030 each precinct in the supervisor's county a sufficient number of  
2031 forms and blanks for use on election day.

2032 Section 42. Subsections (1), (2), and (3) of section  
2033 104.013, Florida Statutes, are amended to read:

2034 104.013 Unauthorized use, possession, or destruction of  
2035 voter information ~~registration identification~~ card.--

2036 (1) It is unlawful for any person knowingly to have in his  
2037 or her possession any blank, forged, stolen, fictitious,  
2038 counterfeit, or unlawfully issued voter information ~~registration~~  
2039 ~~identification~~ card unless possession by such person has been  
2040 duly authorized by the supervisor.

2041 (2) It is unlawful for any person to barter, trade, sell,  
2042 or give away a voter information ~~registration identification~~  
2043 card unless said person has been duly authorized to issue a  
2044 voter information ~~registration identification~~ card.

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2045 (3) It is unlawful for any person willfully to destroy or  
2046 deface the information ~~registration identification~~ card of a  
2047 duly registered voter.

2048 Section 43. Section 196.141, Florida Statutes, is amended  
2049 to read:

2050 196.141 Homestead exemptions; duty of property  
2051 appraiser.--

2052 (1) The property appraiser shall examine each claim for  
2053 exemption filed with or referred to him or her and shall allow  
2054 the same, if found to be in accordance with law, by marking the  
2055 same approved and by making the proper deductions on the tax  
2056 books.

2057 ~~(2) The property appraiser shall examine each referral, of~~  
2058 ~~a person registering to vote at an address different from the~~  
2059 ~~one where the person has filed for a homestead exemption, which~~  
2060 ~~has been provided by a supervisor of elections pursuant to s.~~  
2061 ~~98.015. The property appraiser shall initiate procedures to~~  
2062 ~~terminate a person's homestead exemption and assess back taxes,~~  
2063 ~~if appropriate, if the person claiming such exemption is not~~  
2064 ~~entitled to the exemption under law.~~

2065 Section 44. Subsection (4) of section 120.54, Florida  
2066 Statutes, is amended to read:

2067 120.54 Rulemaking.--

2068 (4) EMERGENCY RULES.--

2069 (a) If an agency finds that an immediate danger to the  
2070 public health, safety, or welfare requires emergency action, the  
2071 agency may adopt any rule necessitated by the immediate danger.

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2072 The agency may adopt a rule by any procedure which is fair under  
2073 the circumstances if:

2074 1. The procedure provides at least the procedural  
2075 protection given by other statutes, the State Constitution, or  
2076 the United States Constitution.

2077 2. The agency takes only that action necessary to protect  
2078 the public interest under the emergency procedure.

2079 3. The agency publishes in writing at the time of, or  
2080 prior to, its action the specific facts and reasons for finding  
2081 an immediate danger to the public health, safety, or welfare and  
2082 its reasons for concluding that the procedure used is fair under  
2083 the circumstances. In any event, notice of emergency rules,  
2084 other than those of educational units or units of government  
2085 with jurisdiction in only one or a part of one county, including  
2086 the full text of the rules, shall be published in the first  
2087 available issue of the Florida Administrative Weekly and  
2088 provided to the committee. The agency's findings of immediate  
2089 danger, necessity, and procedural fairness shall be judicially  
2090 reviewable.

2091 (b) Rules pertaining to the public health, safety, or  
2092 welfare shall include rules pertaining to perishable  
2093 agricultural commodities or rules pertaining to the  
2094 interpretation and implementation of the requirements of  
2095 chapters 97 through 102 and 105 of the Election Code which are  
2096 filed when not more than 60 days remain before an election as  
2097 defined in s. 97.021 or which are filed during the time period

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2098 after the election and before certification of the election  
2099 pursuant to s. 102.112 or s. 102.12.

2100 (c) An emergency rule adopted under this subsection shall  
2101 not be effective for a period longer than 90 days and shall not  
2102 be renewable, except during the pendency of a challenge to  
2103 proposed rules addressing the subject of the emergency rule.  
2104 However, the agency may take identical action by the rulemaking  
2105 procedures specified in this chapter.

2106 (d) Subject to applicable constitutional and statutory  
2107 provisions, an emergency rule becomes effective immediately on  
2108 filing, or on a date less than 20 days thereafter if specified  
2109 in the rule, if the adopting agency finds that such effective  
2110 date is necessary because of immediate danger to the public  
2111 health, safety, or welfare.

2112 Section 45. Subsection (1) of section 99.061, Florida  
2113 Statutes, is amended to read:

2114 99.061 Method of qualifying for nomination or election to  
2115 federal, state, county, or district office.--

2116 (1) The provisions of any special act to the contrary  
2117 notwithstanding, each person seeking to qualify for nomination  
2118 or election to a federal, state, or multicounty district office,  
2119 other than election to a judicial office as defined in chapter  
2120 105 or the office of school board member, shall file his or her  
2121 qualification papers with, and pay the qualifying fee, which  
2122 shall consist of the filing fee and election assessment, and  
2123 party assessment, if any has been levied, to, the Department of  
2124 State, or qualify by the alternative method with the Department

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2125 of State, at any time after noon of the 1st day for qualifying,  
 2126 which shall be as follows: the 120th day prior to the first  
 2127 primary, but not later than noon of the 116th day prior to the  
 2128 date of the first primary, for persons seeking to qualify for  
 2129 nomination or election to federal office or the office of the  
 2130 state attorney or public defender; and noon of the 50th day  
 2131 prior to the first primary, but not later than noon of the 46th  
 2132 day prior to the date of the first primary, for persons seeking  
 2133 to qualify for nomination or election to a state or multicounty  
 2134 district office, other than the office of state attorney or  
 2135 public defender.

2136 Section 46. Sections 98.055, 98.095, 98.0977, 98.0979,  
 2137 98.101, 98.181, 98.231, 98.451, 98.481, and 101.635, Florida  
 2138 Statutes, are repealed.

2139 Section 47. Except as otherwise expressly provided in this  
 2140 act, this act shall take effect January 1, 2006.

2142 ===== T I T L E A M E N D M E N T =====

2143 Remove the entire title and insert:

2144 A bill to be entitled  
 2145 An act relating to elections; amending s. 97.012, F.S.;  
 2146 revising the duties of the Secretary of State and the  
 2147 Department of State relating to election laws; providing  
 2148 for rulemaking; authorizing the Secretary of State to  
 2149 delegate voter registration and records maintenance duties  
 2150 to voter registration officials; providing that the  
 2151 secretary has a duty to bring legal action to enforce the

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2152 performance of county supervisors of elections or other  
2153 officials performing duties relating to the Election Code;  
2154 providing a prerequisite to bringing such an action;  
2155 providing venue; requiring that courts give priority to  
2156 such an action; providing penalties; providing for the  
2157 adoption of rules; amending s. 97.021, F.S.; revising and  
2158 providing definitions; amending s. 97.026, F.S.;  
2159 correcting a cross-reference; amending s. 97.051, F.S.;  
2160 revising the oath taken by a person registering to vote;  
2161 amending s. 97.052, F.S.; requiring that the uniform  
2162 statewide voter registration application be accepted for  
2163 replacement of a voter information card and signature  
2164 update; revising the information the uniform statewide  
2165 voter registration application must contain and must  
2166 elicit from the applicant; amending s. 97.053, F.S.;  
2167 revising the criteria for completeness of a voter  
2168 registration application; specifying the possible valid  
2169 recipients of a mailed voter registration application;  
2170 revising the information needed on a voter registration  
2171 application to establish an applicant's eligibility;  
2172 providing for verification of authenticity of certain  
2173 voter registration application information; providing for  
2174 a provisional ballot to be provided to an applicant if the  
2175 application is not verified by a certain date; requiring a  
2176 voter registration official to enter all voter  
2177 registration applications into the voter registration  
2178 system within a certain time period and forward such

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2179 applications to the supervisor of elections; amending s.  
2180 97.0535, F.S.; providing for applicants who have no valid  
2181 Florida driver's license, identification card, or social  
2182 security number; amending s. 97.055, F.S.; specifying the  
2183 information updates permitted for purposes of an upcoming  
2184 election once registration books are closed; amending s.  
2185 97.057, F.S.; revising the voter registration procedure by  
2186 the Department of Highway Safety and Motor Vehicles;  
2187 amending s. 97.058, F.S.; revising duties of voter  
2188 registration agencies; amending s. 97.061, F.S.; revising  
2189 special registration procedures for electors requiring  
2190 assistance; amending s. 97.071, F.S.; redesignating the  
2191 registration identification card as the voter information  
2192 card; revising the required contents of the card; amending  
2193 s. 97.073, F.S.; revising the procedure by which an  
2194 applicant must supply missing information on the voter  
2195 registration application; revising provisions relating to  
2196 cancellation of previous registration; amending s.  
2197 97.1031, F.S.; revising provisions relating to notice of  
2198 change of residence, name, or party affiliation; amending  
2199 s. 97.105, F.S., relating to establishment of the  
2200 permanent single registration system, to conform; amending  
2201 s. 98.015, F.S.; revising the duties of supervisors of  
2202 elections; creating s. 98.035, F.S.; establishing a  
2203 statewide voter registration system; requiring the  
2204 Secretary of State to be responsible for the  
2205 implementation, operation, and maintenance of the system;

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2206 prohibiting the department from contracting with any other  
2207 entity to operate the system; authorizing the department  
2208 to adopt rules relating to the access, use, and operation  
2209 of the system; amending s. 98.045, F.S.; revising  
2210 provisions relating to administration of voter  
2211 registration; providing for the responsibility of such  
2212 administration to be undertaken by the department in lieu  
2213 of supervisors of elections; specifying ineligibility  
2214 criteria; revising provisions relating to removal of  
2215 registered voters; revising provisions relating to public  
2216 records access and retention; providing for the  
2217 establishment of a statewide electronic database of valid  
2218 residential street addresses; authorizing the department  
2219 to adopt rules relating to certain voter registration  
2220 system forms; amending s. 98.065, F.S.; revising  
2221 provisions relating to registration records maintenance;  
2222 providing for change of address; providing limitations on  
2223 notice and renewal; requiring supervisors of elections to  
2224 certify to the department certain list maintenance  
2225 activities; providing penalties; amending s. 98.075, F.S.;  
2226 providing for registration records maintenance by the  
2227 department; providing procedures in cases involving  
2228 duplicate registration, deceased persons, adjudication of  
2229 mental incapacity, felony conviction, and other bases for  
2230 ineligibility; providing procedures for removal; requiring  
2231 supervisors of elections to certify to the department  
2232 certain registration records maintenance activities;

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2233 creating s. 98.0755, F.S.; providing for appeal of a  
2234 determination of ineligibility; providing for  
2235 jurisdiction, burden of proof, and trial costs; amending  
2236 s. 98.077, F.S.; revising provisions relating to updating  
2237 a voter's signature; amending s. 98.081, F.S., relating to  
2238 removal of names from the statewide voter registration  
2239 system, to conform; amending s. 98.093, F.S.; revising the  
2240 duty of officials to furnish lists of deceased persons,  
2241 persons adjudicated mentally incapacitated, and persons  
2242 convicted of a felony; amending s. 98.212, F.S., relating  
2243 to furnishing of statistical and other information, to  
2244 conform; amending s. 98.461, F.S.; authorizing use of an  
2245 electronic database as a precinct register and use of an  
2246 electronic device for voter signatures and witness  
2247 initials; amending s. 100.371, F.S.; revising the  
2248 procedure by which constitutional amendments proposed by  
2249 initiative shall be placed on the ballot; amending s.  
2250 101.043, F.S.; revising requirements and procedures  
2251 relating to identification required at polls; amending s.  
2252 101.045, F.S., relating to provisions for residence or  
2253 name change at the polls, to conform; amending s. 101.048,  
2254 F.S., relating to provisional ballots, to conform;  
2255 amending s. 101.161, F.S.; conforming a cross-reference;  
2256 amending s. 101.56062, F.S., relating to standards for  
2257 accessible voting systems, to conform; amending s.  
2258 101.5608, F.S.; revising a provision relating to an  
2259 elector's signature provided with identification prior to

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2260 voting; creating s. 101.573, F.S.; requiring supervisors  
2261 of elections to file precinct-level election results;  
2262 requiring the Department of State to adopt rules; amending  
2263 s. 101.62, F.S.; conforming a cross-reference; amending  
2264 ss. 101.64 and 101.657, F.S.; requiring that the  
2265 supervisor of elections indicate on each absentee or early  
2266 voted ballot the precinct of the voter; amending s.  
2267 101.663, F.S., relating to change of residence, to  
2268 conform; amending s. 101.6921, F.S., relating to delivery  
2269 of special absentee ballots to certain first-time voters,  
2270 to conform; amending s. 101.6923, F.S., relating to  
2271 special absentee ballot instructions for certain first-  
2272 time voters, to conform; amending s. 102.012, F.S.,  
2273 relating to conduct of elections by inspectors and clerks,  
2274 to conform; amending s. 104.013, F.S., relating to  
2275 unauthorized use, possession, or destruction of voter  
2276 information cards, to conform; amending s. 196.141, F.S.,  
2277 relating to homestead exemptions and duties of property  
2278 appraisers, to conform; amending s. 120.54, F.S.;  
2279 including certain rules pertaining to the Florida Election  
2280 Code within the definition of emergency rules governing  
2281 public health, safety, or welfare during specified times;  
2282 amending s. 99.061, F.S.; providing the method of  
2283 qualifying for nomination or election to the office of the  
2284 state attorney or public defender; repealing s. 98.055,  
2285 F.S., relating to registration list maintenance forms;  
2286 repealing s. 98.095, F.S., relating to county registers

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2287 open to inspection and copies; repealing s. 98.0977, F.S.,  
2288 relating to the statewide voter registration database and  
2289 its operation and maintenance; repealing s. 98.0979, F.S.,  
2290 relating to inspection of the statewide voter  
2291 registration; repealing s. 98.101, F.S., relating to  
2292 specifications for permanent registration binders, files,  
2293 and forms; repealing s. 98.181, F.S., relating to duty of  
2294 the supervisor of elections to make up indexes or records;  
2295 repealing s. 98.231, F.S., relating to duty of the  
2296 supervisor of elections to furnish the department the  
2297 number of registered electors; repealing s. 98.451, F.S.,  
2298 relating to automation in processing registration data;  
2299 repealing s. 98.481, F.S., relating to challenges to  
2300 electors; repealing s. 101.635, F.S., relating to  
2301 distribution of blocks of printed ballots; providing  
2302 effective dates.

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