

1                   A bill to be entitled  
2           An act relating to elections; amending s. 97.012, F.S.;  
3           authorizing the Secretary of State to issue binding  
4           directives to supervisors of elections and county  
5           canvassing boards under certain circumstances; providing a  
6           penalty for failure to follow such directives; authorizing  
7           the secretary to file certain complaints; authorizing the  
8           secretary to delegate voter registration and records  
9           maintenance duties to voter registration officials;  
10          amending s. 97.021, F.S.; revising and providing  
11          definitions; amending s. 97.026, F.S.; correcting a cross  
12          reference; amending s. 97.051, F.S.; revising the oath  
13          taken by a person registering to vote; amending s. 97.052,  
14          F.S.; requiring the uniform statewide voter registration  
15          application be accepted for replacement of a voter  
16          information card and signature update; revising the  
17          information the uniform statewide voter registration  
18          application must contain and must elicit from the  
19          applicant; amending s. 97.053, F.S.; revising the criteria  
20          for completeness of a voter registration application;  
21          specifying the possible valid recipients of a mailed voter  
22          registration application; revising the information needed  
23          on a voter registration application to establish an  
24          applicant's eligibility; providing for verification of  
25          authenticity of certain voter registration application  
26          information; providing for a provisional ballot to be  
27          provided to an applicant if the application is not  
28          verified by a certain date; requiring a voter registration

29 official to enter all voter registration applications into  
30 the voter registration system within a certain time  
31 period; amending s. 97.0535, F.S.; providing for  
32 registering voters who have no valid Florida driver's  
33 license, identification card, or social security number;  
34 amending s. 97.055, F.S.; specifying the information  
35 permitted for purposes of an upcoming election once  
36 registration books are closed; amending s. 97.057, F.S.;  
37 revising the voter registration procedure by the  
38 Department of Highway Safety and Motor Vehicles; amending  
39 s. 97.058, F.S.; revising duties of voter registration  
40 agencies; amending s. 97.061, F.S.; revising special  
41 registration procedures for electors requiring assistance;  
42 amending s. 97.071, F.S.; redesignating the registration  
43 identification card as the voter information card;  
44 requiring the Department of State to adopt rules relating  
45 to voter information cards; revising the required contents  
46 of the card; amending s. 97.073, F.S.; revising the  
47 procedure by which an applicant must supply missing  
48 information on the voter registration application;  
49 revising provisions relating to cancellation of previous  
50 registration; amending s. 97.1031, F.S.; revising  
51 provisions relating to notice of change of residence,  
52 name, or party affiliation; amending s. 97.105, F.S.,  
53 relating to establishment of the permanent single  
54 registration system, to conform; amending s. 98.015, F.S.;  
55 revising the duties of supervisors of elections; creating  
56 s. 98.035, F.S.; establishing a statewide voter

57 registration system; requiring the Secretary of State to  
58 be responsible for the implementation, operation, and  
59 maintenance of the system; prohibiting the department from  
60 contracting with any private entity to operate the system;  
61 authorizing the department to adopt rules relating to the  
62 access, use, and operation of the system; amending s.  
63 98.045, F.S.; revising provisions relating to  
64 administration of voter registration; providing for the  
65 responsibility of such administration to be undertaken by  
66 the department in lieu of supervisors of elections;  
67 specifying ineligibility criteria; revising provisions  
68 relating to removal of registered voters; revising  
69 provisions relating to public records access and  
70 retention; providing for the establishment of a statewide  
71 electronic database of valid street addresses; authorizing  
72 the department to adopt rules relating to certain voter  
73 registration system forms; amending s. 98.065, F.S.;  
74 providing for registration records maintenance; providing  
75 for change of address; providing limitations on notice and  
76 renewal; requiring supervisors of elections to certify to  
77 the department certain list maintenance activities;  
78 providing penalties; amending s. 98.075, F.S.; providing  
79 for registration records maintenance by the department;  
80 providing for duplicate registration; providing for  
81 deceased persons; providing for adjudication of mental  
82 incapacity; providing for felony conviction; providing for  
83 other bases for ineligibility; providing procedures for  
84 removal; requiring supervisors of elections to certify to

85 | the department certain registration records maintenance  
86 | activities; creating s. 98.0755, F.S.; providing for  
87 | appeal of a determination of ineligibility; providing for  
88 | jurisdiction, burden of proof, and trial costs; amending  
89 | s. 98.077, F.S.; revising provisions relating to updating  
90 | a voter's signature; amending s. 98.081, F.S., relating to  
91 | removal of names from the statewide voter registration  
92 | system, to conform; amending s. 98.093, F.S.; revising the  
93 | duty of officials to furnish lists of deceased persons,  
94 | persons adjudicated mentally incapacitated, and persons  
95 | convicted of a felony; creating s. 98.0981, F.S.;  
96 | requiring the department to establish and maintain a  
97 | statewide voter registration database and provide such  
98 | database to the Legislature; specifying the required  
99 | contents of the database; requiring the department to  
100 | certify certain information to the Legislature; amending  
101 | s. 98.212, F.S., relating to furnishing of statistical and  
102 | other information, to conform; amending s. 98.461, F.S.;  
103 | authorizing use of an electronic database as a precinct  
104 | register and use of an electronic device for voter  
105 | signatures and witness initials; amending s. 100.371,  
106 | F.S.; revising the procedure by which constitutional  
107 | amendments proposed by initiative shall be placed on the  
108 | ballot; amending s. 101.001, F.S.; providing requirements  
109 | relating to maps of new precincts; revising procedural  
110 | requirements of supervisors of elections relating to  
111 | precincts and precinct maps; amending s. 101.043, F.S.;  
112 | revising requirements and procedures relating to

113 identification required at polls; amending s. 101.045,  
114 F.S., relating to provisions for residence or name change  
115 at the polls, to conform; amending s. 101.048, F.S.,  
116 relating to provisional ballots, to conform; amending s.  
117 101.161, F.S.; correcting a cross reference; amending s.  
118 101.5608, F.S.; revising a provision relating to an  
119 elector's signature provided with identification prior to  
120 voting; amending s. 101.62, F.S.; correcting a cross  
121 reference; amending s. 101.663, F.S., relating to change  
122 or residence, to conform; amending s. 101.6921, F.S.,  
123 relating to delivery of special absentee ballots to  
124 certain first-time voters, to conform; amending s.  
125 101.6923, F.S., relating to special absentee ballot  
126 instructions for certain first-time voters, to conform;  
127 amending s. 102.012, F.S., relating to conduct of  
128 elections by inspectors and clerks, to conform; amending  
129 s. 102.151, F.S.; requiring county canvassing boards to  
130 record and transmit certain election information to the  
131 department; amending s. 104.013, F.S., relating to  
132 unauthorized use, possession, or destruction of voter  
133 information cards, to conform; amending s. 104.051, F.S.;  
134 providing for the willful failure of a county canvassing  
135 board member or supervisor of elections to follow certain  
136 binding directives to be subject to certain penalties;  
137 allowing only the Secretary of State to file a complaint  
138 to the Florida Elections Commission alleging such willful  
139 failure; providing for an exemption and review of such  
140 penalties; amending s. 120.52, F.S.; revising the

141 definition of "rule" to exempt certain advisory opinions  
 142 issued by the department and certain directives issued by  
 143 the Secretary of State; amending s. 196.141, F.S.,  
 144 relating to homestead exemptions and duties of property  
 145 appraisers, to conform; repealing s. 98.055, F.S.,  
 146 relating to registration list maintenance forms; repealing  
 147 s. 98.095, F.S., relating to county registers open to  
 148 inspection and copies; repealing s. 98.0977, F.S.,  
 149 relating to the statewide voter registration database and  
 150 its operation and maintenance; repealing s. 98.0979, F.S.,  
 151 relating to inspection of the statewide voter  
 152 registration; repealing s. 98.101, F.S., relating to  
 153 specifications for permanent registration binders, files,  
 154 and forms; repealing s. 98.181, F.S., relating to duty of  
 155 the supervisor of elections to make up indexes or records;  
 156 repealing s. 98.231, F.S., relating to duty of the  
 157 supervisor of elections to furnish the department the  
 158 number of registered electors; repealing s. 98.451, F.S.,  
 159 relating to automation in processing registration data;  
 160 repealing s. 98.481, F.S., relating to challenges to  
 161 electors; repealing s. 101.635, F.S., relating to  
 162 distribution of blocks of printed ballots; providing  
 163 effective dates.

164  
 165 Be It Enacted by the Legislature of the State of Florida:  
 166

167 Section 1. Subsections (1) and (11) of section 97.012,  
 168 Florida Statutes, are amended to read:

169           97.012 Secretary of State as chief election officer.--The  
 170 Secretary of State is the chief election officer of the state,  
 171 and it is his or her responsibility to:

172           (1) Obtain and maintain uniformity in the application,  
 173 operation, and interpretation of the election laws. In achieving  
 174 this objective, the secretary or his or her designee is  
 175 authorized to issue binding directives to the supervisors of  
 176 elections and the county canvassing boards when the secretary  
 177 determines that a lack of uniformity exists in the application,  
 178 operation, or interpretation of the election laws. A willful  
 179 failure to follow directives issued by the secretary shall  
 180 subject the violator to the penalties in s. 104.051(5). The  
 181 secretary is authorized to file complaints with the Florida  
 182 Elections Commission alleging a violation of s. 104.051(5).

183           (11) Create and administer ~~maintain~~ a statewide voter  
 184 registration system as required by the Help America Vote Act of  
 185 2002 database. The secretary is authorized to delegate voter  
 186 registration duties and records maintenance activities to voter  
 187 registration officials. Any responsibilities delegated by the  
 188 secretary shall be performed in accordance with state and  
 189 federal law.

190           Section 2. Subsection (13) of section 97.021, Florida  
 191 Statutes, is amended, subsections (38) and (39) are renumbered  
 192 as subsections (39) and (40), and a new subsection (38) is added  
 193 to said section, to read:

194           97.021 Definitions.--For the purposes of this code, except  
 195 where the context clearly indicates otherwise, the term:

196           (13) "Lists of registered electors" means names and  
 197 associated information ~~copies of printed lists~~ of registered  
 198 electors maintained by the department in the statewide voter  
 199 registration system or generated or derived from the statewide  
 200 voter registration system. Lists may be produced in printed or  
 201 electronic format, ~~computer tapes or disks, or any other device~~  
 202 ~~used by the supervisor of elections to maintain voter records.~~

203           (38) "Voter registration official" means any supervisor of  
 204 elections or individual authorized by the Secretary of State to  
 205 accept voter registration applications and execute updates to  
 206 the statewide voter registration system.

207           Section 3. Section 97.026, Florida Statutes, is amended to  
 208 read:

209           97.026 Forms to be available in alternative formats and  
 210 via the Internet.--It is the intent of the Legislature that all  
 211 forms required to be used in chapters 97-106 shall be made  
 212 available upon request, in alternative formats. Such forms shall  
 213 include absentee ballots as alternative formats for such ballots  
 214 become available and the Division of Elections is able to  
 215 certify systems that provide them. Whenever possible, such  
 216 forms, with the exception of absentee ballots, shall be made  
 217 available by the Department of State via the Internet. Sections  
 218 that contain such forms include, but are not limited to, ss.  
 219 97.051, 97.052, 97.053, 97.057, 97.058, 97.0583, 97.071, 97.073,  
 220 97.1031, ~~98.055~~, 98.075, 99.021, 100.361, 100.371, 101.045,  
 221 101.171, 101.20, 101.6103, 101.62, 101.64, 101.65, 101.657,  
 222 105.031, 106.023, and 106.087.

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2005

223 Section 4. Section 97.051, Florida Statutes, is amended to  
 224 read:

225 97.051 Oath upon registering.--A person registering to  
 226 vote must subscribe to the following oath: "I do solemnly swear  
 227 (or affirm) that I will protect and defend the Constitution of  
 228 the United States and the Constitution of the State of Florida,  
 229 that I am qualified to register as an elector under the  
 230 Constitution and laws of the State of Florida, and that all  
 231 information provided in this application is true ~~I am a citizen~~  
 232 ~~of the United States and a legal resident of Florida.~~"

233 Section 5. Section 97.052, Florida Statutes, is amended to  
 234 read:

235 97.052 Uniform statewide voter registration application.--

236 (1) The department shall prescribe a uniform statewide  
 237 voter registration application for use in this state.

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

- 240 1. Initial registration.
- 241 2. Change of address.
- 242 3. Change of party affiliation.
- 243 4. Change of name.
- 244 5. Replacement of a voter information registration  
 245 ~~identification~~ card.
- 246 6. Signature update.

247 (b) The department is responsible for printing the uniform  
 248 statewide voter registration application and the voter  
 249 registration application form prescribed by the ~~Federal~~ Election  
 250 Assistance Commission pursuant to federal law ~~the National Voter~~

251 ~~Registration Act of 1993.~~ The applications and forms must be  
 252 distributed, upon request, to the following:

253 1. Individuals seeking to register to vote or update a  
 254 voter registration record.

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

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

259 4. Voter registration agencies.

260 5. Armed forces recruitment offices.

261 6. Qualifying educational institutions.

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

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

266 b. By distributing the applications and forms at other  
 267 locations designated by each supervisor.

268 c. By mailing the applications and forms to applicants  
 269 upon the request of the applicant.

270 (c) The uniform statewide voter registration application  
 271 may be reproduced by any private individual or group, provided  
 272 the reproduced application is in the same format as the  
 273 application prescribed under this section.

274 (2) The uniform statewide voter registration application  
 275 must be designed to elicit the following information from the  
 276 applicant:

277 (a) Last, first, and middle ~~Full~~ name, including any  
 278 suffix.

- 279 (b) Date of birth.
- 280 (c) Address of legal residence.
- 281 (d) Mailing address, if different.
- 282 (e) County of legal residence.
- 283 ~~(f) Address of property for which the applicant has been~~
- 284 ~~granted a homestead exemption, if any.~~
- 285 (f)(g) Race or ethnicity that best describes the
- 286 applicant:
- 287 1. American Indian or Alaskan Native.
- 288 2. Asian or Pacific Islander.
- 289 3. Black, not Hispanic.
- 290 4. White, not Hispanic.
- 291 5. Hispanic.
- 292 (g)(h) State or country of birth.
- 293 (h)(i) Sex.
- 294 (i)(j) Party affiliation.
- 295 (j)(k) Whether the applicant needs assistance in voting.
- 296 (k)(l) Name and address where last registered.
- 297 (l)(m) Last four digits of the applicant's social security
- 298 number.
- 299 (m)(n) Florida driver's license number or the
- 300 identification number from a Florida identification card issued
- 301 under s. 322.051.
- 302 (n) An indication, if applicable, that the applicant has
- 303 not been issued a Florida driver's license, a Florida
- 304 identification card, or a social security number.
- 305 (o) Telephone number (optional).
- 306 (p) E-mail address (optional).

307        (g)~~(p)~~ Signature of applicant under penalty for false  
 308 swearing pursuant to s. 104.011, by which the person subscribes  
 309 to the oath required by s. 3, Art. VI of the State Constitution  
 310 and s. 97.051, and swears or affirms that the information  
 311 contained in the registration application is true.

312        (r)~~(q)~~ Whether the application is being used for initial  
 313 registration, to update a voter registration record, or to  
 314 request a replacement voter information ~~registration~~  
 315 ~~identification~~ card.

316        (s)~~(r)~~ Whether the applicant is a citizen of the United  
 317 States by asking the question "Are you a citizen of the United  
 318 States of America?" and providing boxes for the applicant to  
 319 check to indicate whether the applicant is or is not a citizen  
 320 of the United States.

321        (t)~~(s)~~ Whether ~~That~~ the applicant has ~~not~~ been convicted  
 322 of a felony, and ~~or~~, if convicted, has had his or her civil  
 323 rights restored by including the statement "I affirm I am not a  
 324 convicted felon or, if I am, my rights relating to voting have  
 325 been restored." and providing a box for the applicant to check  
 326 to affirm the statement.

327        (u)~~(t)~~ Whether ~~That~~ the applicant has ~~not~~ been adjudicated  
 328 mentally incapacitated with respect to voting or, if so  
 329 adjudicated, has had his or her right to vote restored by  
 330 including the statement "I affirm I have not been adjudicated  
 331 mentally incapacitated with respect to voting or, if I have, my  
 332 competency has been restored." and providing a box for the  
 333 applicant to check to affirm the statement.

334

335 The registration application form must be in plain language and  
336 designed so that convicted felons whose civil rights have been  
337 restored and persons who have been adjudicated mentally  
338 incapacitated and have had their voting rights restored are not  
339 required to reveal their prior conviction or adjudication.

340 (3) The uniform statewide voter registration application  
341 must also contain:

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

344 (b) A statement specifying each eligibility requirement  
345 under s. 97.041.

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

348 (d) A statement that, if an applicant declines to register  
349 to vote, the fact that the applicant has declined to register  
350 will remain confidential and may be used only for voter  
351 registration purposes.

352 (e) A statement that informs the applicant who chooses to  
353 register to vote or update a voter registration record that the  
354 office at which the applicant submits a voter registration  
355 application or updates a voter registration record will remain  
356 confidential and may be used only for voter registration  
357 purposes.

358 ~~(f) A statement that informs the applicant that any person~~  
359 ~~who has been granted a homestead exemption in this state, and~~  
360 ~~who registers to vote in any precinct other than the one in~~  
361 ~~which the property for which the homestead exemption has been~~  
362 ~~granted, shall have that information forwarded to the property~~

363 ~~appraiser where such property is located, which may result in~~  
 364 ~~the person's homestead exemption being terminated and the person~~  
 365 ~~being subject to assessment of back taxes under s. 193.092,~~  
 366 ~~unless the homestead granted the exemption is being maintained~~  
 367 ~~as the permanent residence of a legal or natural dependent of~~  
 368 ~~the owner and the owner resides elsewhere.~~

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

375 (4) A supervisor may produce a voter registration  
 376 application that has the supervisor's direct mailing address if  
 377 the department has reviewed the application and determined that  
 378 it is substantially the same as the uniform statewide voter  
 379 registration application.

380 (5) The voter registration application form prescribed by  
 381 the ~~Federal~~ Election Assistance Commission pursuant to federal  
 382 law ~~the National Voter Registration Act of 1993~~ or the federal  
 383 postcard application must be accepted as an application for  
 384 registration in this state if the completed application or  
 385 postcard application contains the information required by the  
 386 constitution and laws of this state.

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

389 97.053 Acceptance of voter registration applications.--

390 (1) Voter registration applications, changes in  
 391 registration, and requests for a replacement voter information  
 392 ~~registration identification~~ card must be accepted in the office  
 393 of any supervisor, the division, a driver license office, a  
 394 voter registration agency, or an armed forces recruitment office  
 395 when hand delivered by the applicant or a third party during the  
 396 hours that office is open or when mailed.

397 (2) A ~~completed~~ voter registration application is complete  
 398 and that contains the information necessary to establish an  
 399 applicant's eligibility pursuant to s. 97.041 becomes the  
 400 official voter registration record of that applicant when all  
 401 information necessary to establish the applicant's eligibility  
 402 pursuant to s. 97.041 is received by a voter registration  
 403 official and verified pursuant to subsection (6) the appropriate  
 404 supervisor. If the applicant fails to complete his or her voter  
 405 registration application prior to the date of book closing for  
 406 an election, then such applicant shall not be eligible to vote  
 407 in that election.

408 (3) The registration date for a valid initial voter  
 409 registration application that has been hand delivered is the  
 410 date that the application is ~~when~~ received by a driver license  
 411 office, a voter registration agency, an armed forces recruitment  
 412 office, the division, or the office of any supervisor in the  
 413 state.

414 (4) The registration date for a valid initial voter  
 415 registration application that has been mailed to a driver  
 416 license office, a voter registration agency, an armed forces  
 417 recruitment office, the division, or the office of any

418 supervisor in the state and bears a clear postmark is the date  
 419 of that ~~the~~ postmark. If an initial voter registration  
 420 application that has been mailed does not bear a postmark or if  
 421 the postmark is unclear, the registration date is the date the  
 422 application ~~registration~~ is received by any voter registration  
 423 official ~~supervisor or the division~~, unless it is received  
 424 within 5 days after the closing of the books for an election,  
 425 excluding Saturdays, Sundays, and legal holidays, in which case  
 426 the registration date is the book-closing date.

427 (5)(a) A voter registration application is complete if it  
 428 contains all information necessary to establish the applicant's  
 429 eligibility pursuant to s. 97.041, including:

- 430 1. The applicant's name.
- 431 2. The applicant's legal residence address.
- 432 3. The applicant's date of birth.
- 433 4. A mark in the checkbox affirming ~~An indication that~~ the  
 434 applicant is a citizen of the United States.

435 5.a. The applicant's current and valid Florida driver's  
 436 license number or ~~7~~ the identification number from a Florida  
 437 identification card issued under s. 322.051, or

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

441 c. In case an applicant has not been issued a current and  
 442 valid Florida driver's license, Florida identification card, or  
 443 social security number, the applicant shall affirm this fact in  
 444 the manner prescribed in the uniform statewide voter  
 445 registration application.

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

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

453           8. Original signature or a digital signature transmitted  
454 by the Department of Highway Safety and Motor Vehicles of the  
455 applicant swearing or affirming under the penalty for false  
456 swearing pursuant to s. 104.011 that the information contained  
457 in the registration application is true and subscribing to the  
458 oath required by s. 3, Art. VI of the State Constitution and s.  
459 97.051.

460           (b) An applicant who fails to designate party affiliation  
461 must be registered without party affiliation. The supervisor  
462 must notify the voter by mail that the voter has been registered  
463 without party affiliation and that the voter may change party  
464 affiliation as provided in s. 97.1031.

465           (6) A voter registration application may be accepted as  
466 valid only after the department has verified the authenticity or  
467 nonexistence of the driver's license number, the Florida  
468 identification card number, or the last four digits of the  
469 social security number provided by the applicant. If a completed  
470 voter registration application has been received by the book-  
471 closing deadline but the driver's license number, the Florida  
472 identification card number, or the last four digits of the  
473 social security number provided by the applicant cannot be

474 verified prior to the applicant presenting himself or herself to  
 475 vote, the applicant shall be provided a provisional ballot. The  
 476 provisional ballot shall only be counted if the application is  
 477 verified by the end of the canvassing period or if the applicant  
 478 presents evidence to the supervisor of elections sufficient to  
 479 verify the authenticity of the driver's license number, Florida  
 480 identification card number, or last four digits of the social  
 481 security number provided on the application no later than 5 p.m.  
 482 of the third day following the election.

483 (7) All voter registration applications received by a  
 484 voter registration official shall be entered into the statewide  
 485 voter registration system within 15 days after receipt.

486 Section 7. Subsections (1), (2), and (3) of section  
 487 97.0535, Florida Statutes, are amended to read:

488 97.0535 Special requirements for certain voters  
 489 ~~applicants~~.--

490 (1) Each voter ~~applicant~~ who registers by mail and who has  
 491 never previously voted in the state and who the department has  
 492 verified has not been issued a current and valid Florida  
 493 driver's license, Florida identification card, or social  
 494 security number ~~county~~ shall be required to provide a copy of a  
 495 current and valid identification, as provided in subsection (3),  
 496 or indicate that he or she is exempt from the requirements prior  
 497 to voting. Such ~~The applicant may provide the~~ identification or  
 498 indication may be provided at the time of registering, or at any  
 499 time prior to voting for the first time in the state ~~county~~. If  
 500 the voter registration application clearly provides information  
 501 from which a voter registration official ~~the supervisor~~ can

502 determine that the voter ~~applicant~~ meets at least one of the  
 503 exemptions in subsection (4), the voter registration official  
 504 ~~supervisor~~ shall make the notation on the registration records  
 505 of the statewide voter registration system and the voter  
 506 ~~applicant~~ shall not be required to provide the identification  
 507 required by this section ~~further information that is required of~~  
 508 ~~first time voters who register by mail.~~

509 (2) The voter registration official ~~supervisor of~~  
 510 ~~elections~~ shall, upon accepting the voter registration  
 511 application submitted pursuant to subsection (1) ~~for an~~  
 512 ~~applicant who registered by mail and who has not previously~~  
 513 ~~voted in the county~~, determine if the voter ~~applicant~~ provided  
 514 the required identification at the time of registering. If the  
 515 required identification was not provided, the supervisor shall  
 516 notify the voter ~~applicant~~ that he or she must provide the  
 517 identification prior to voting the first time in the state  
 518 ~~county.~~

519 (3)(a) The following forms of identification shall be  
 520 considered current and valid if they contain the name and  
 521 photograph of the voter ~~applicant~~ and have not expired:

- 522 ~~1. Florida driver's license.~~
- 523 ~~2. Florida identification card issued by the Department of~~  
 524 ~~Highway Safety and Motor Vehicles.~~
- 525 ~~1.3.~~ United States passport.
- 526 ~~2.4.~~ Employee badge or identification.
- 527 ~~3.5.~~ Buyer's club identification.
- 528 ~~4.6.~~ Debit or credit card.
- 529 ~~5.7.~~ Military identification.

- 530        ~~6.8.~~ Student identification.
- 531        ~~7.9.~~ Retirement center identification.
- 532        ~~8.10.~~ Neighborhood association identification.
- 533        ~~9.11.~~ Entertainment identification.
- 534        ~~10.12.~~ Public assistance identification.

535        (b) The following forms of identification shall be  
 536 considered current and valid if they contain the name and  
 537 current residence address of the voter ~~applicant~~:

- 538            1. Utility bill.
- 539            2. Bank statement.
- 540            3. Government check.
- 541            4. Paycheck.
- 542            5. Other government document (excluding voter  
 543 identification card).

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

546            97.055 Registration books; when closed for an election.--

547            (1) The registration books must be closed on the 29th day  
 548 before each election and must remain closed until after that  
 549 election. If an election is called and there are fewer than 29  
 550 days before that election, the registration books must be closed  
 551 immediately. When the registration books are closed for an  
 552 election, only updates to a voter's name, address, and signature  
 553 pursuant to ss. 98.077 and 101.045 will be permitted for  
 554 purposes of the upcoming election. Voter registration  
 555 applications and party changes must be accepted but only for the  
 556 purpose of subsequent elections. However, party changes received  
 557 between the book-closing date of the first primary election and

558 the date of the second primary election are not effective until  
 559 after the second primary election.

560 Section 9. Section 97.057, Florida Statutes, is amended to  
 561 read:

562 97.057 Voter registration by the Department of Highway  
 563 Safety and Motor Vehicles.--

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

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

569 (b) Apply for or renew an identification card pursuant to  
 570 chapter 322; or

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

573 (2) The Department of Highway Safety and Motor Vehicles  
 574 shall:

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

576 1. Information gathered for the completion of a driver's  
 577 license or identification card application, renewal, or change  
 578 of address can be automatically transferred to a voter  
 579 registration application;

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

583 3. Information provided can also be used to update a voter  
 584 registration record;

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

587 5. The particular driver license office in which the  
 588 person applies to register to vote or updates a voter  
 589 registration record will remain confidential and may be used  
 590 only for voter registration purposes.

591 (b) Require a driver's license examiner to inquire orally,  
 592 or, if the applicant is hearing impaired, inquire in writing ~~if~~  
 593 ~~the applicant is hearing impaired,~~ and whether the applicant  
 594 wishes to register to vote or update a voter registration record  
 595 during the completion of a driver's license or identification  
 596 card application, renewal, or change of address.

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

599 a. All applicable information received by the Department  
 600 of Highway Safety and Motor Vehicles in the course of filling  
 601 out the forms necessary under subsection (1) must be transferred  
 602 to a voter registration application. ~~;~~

603 b. The additional necessary information must be obtained  
 604 by the driver's license examiner and must not duplicate any  
 605 information already obtained while completing the forms required  
 606 under subsection (1). ~~;~~ ~~and~~

607 c. A voter registration application with all of the  
 608 applicant's voter registration information must be presented to  
 609 the applicant to review and verify the voter registration  
 610 information received and provide an electronic signature  
 611 affirming the accuracy of the information provided ~~sign.~~

612           2. If the applicant declines to register to vote, update  
 613 the applicant's voter registration record, or change the  
 614 applicant's address by either orally declining or by failing to  
 615 sign the voter registration application, the Department of  
 616 Highway Safety and Motor Vehicles must note such declination on  
 617 its records and shall forward the declination to the statewide  
 618 voter registration system ~~keep the declination for 2 years but~~  
 619 ~~must forward a copy of the unsigned voter registration~~  
 620 ~~application within 5 days after receipt to the appropriate~~  
 621 ~~supervisor of elections.~~

622           (3) For the purpose of this section, the Department of  
 623 Highway Safety and Motor Vehicles, with the approval of the  
 624 Department of State, shall prescribe:

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

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

630           (4) The Department of Highway Safety and Motor Vehicles  
 631 must electronically transmit ~~forward~~ completed voter  
 632 registration applications within 24 hours after receipt to the  
 633 statewide voter registration system. Completed paper voter  
 634 registration applications received by the Department of Highway  
 635 Safety and Motor Vehicles shall be forwarded to the department  
 636 within 5 days after receipt to the supervisor of the county  
 637 ~~where the office that processed or received that application is~~  
 638 ~~located.~~

639           (5) The Department of Highway Safety and Motor Vehicles  
 640 must send, with each driver's license renewal extension  
 641 application authorized pursuant to s. 322.18(8), a uniform  
 642 statewide voter registration application, the voter registration  
 643 application prescribed under paragraph (3)(a), or a voter  
 644 registration application developed especially for the purposes  
 645 of this subsection by the Department of Highway Safety and Motor  
 646 Vehicles, with the approval of the Department of State, which  
 647 must meet the requirements of s. 97.052.

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

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

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

653           (c) Make any statement to an applicant or take any action  
 654 the purpose or effect of which is to discourage the applicant  
 655 from registering to vote; or

656           (d) Disclose any applicant's voter registration  
 657 information except as needed for the administration of voter  
 658 registration.

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

664           (7)(8) The Department of Highway Safety and Motor Vehicles  
 665 shall collect data determined necessary by the Department of  
 666 State for program evaluation and reporting to the ~~Federal~~

667 Election Assistance Commission pursuant to federal law ~~the~~  
 668 ~~National Voter Registration Act of 1993.~~

669 ~~(8)(9)~~ The Department of Highway Safety and Motor Vehicles  
 670 must ensure that all voter registration services provided by  
 671 driver license offices are in compliance with the Voting Rights  
 672 Act of 1965.

673 (9) The Department of Highway Safety and Motor Vehicles  
 674 shall retain complete records of voter registration information  
 675 received, processed, and submitted to the statewide voter  
 676 registration system. These records shall be for the explicit  
 677 purpose of supporting audit and accounting controls established  
 678 to ensure accurate and complete electronic transmission of  
 679 records between the statewide voter registration system and the  
 680 Department of Highway Safety and Motor Vehicles.

681 (10) The department shall provide the Department of  
 682 Highway Safety and Motor Vehicles with an electronic database of  
 683 street addresses valid for use as the legal residence address as  
 684 required in s. 97.053(5). The Department of Highway Safety and  
 685 Motor Vehicles shall compare the address provided by the  
 686 applicant against the database of valid street addresses. If the  
 687 address provided by the applicant does not match a valid street  
 688 address in the database, the applicant will be asked to verify  
 689 the address provided. The Department of Highway Safety and Motor  
 690 Vehicles shall not reject any application for voter registration  
 691 for which a valid match cannot be made.

692 (11) The Department of Highway Safety and Motor Vehicles  
 693 shall enter into an agreement with the department to match  
 694 information in the statewide voter registration system with

695 information in the database of the Department of Highway Safety  
 696 and Motor Vehicles to the extent required to verify the accuracy  
 697 of the driver's license number, Florida identification number,  
 698 or last four digits of the social security number provided on  
 699 applications for voter registration as required in s. 97.053.

700 (12) The Department of Highway Safety and Motor Vehicles  
 701 shall enter into an agreement with the Commissioner of Social  
 702 Security as required by the Help America Vote Act of 2002 to  
 703 verify the last four digits of the social security number  
 704 provided in applications for voter registration as required in  
 705 s. 97.053.

706 Section 10. Subsections (6), (7), and (9) of section  
 707 97.058, Florida Statutes, are amended to read:

708 97.058 Voter registration agencies.--

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

713 (7) A voter registration agency must retain declinations  
 714 for a period of 2 years, during which time the declinations are  
 715 not considered a record of the client pursuant to the laws  
 716 governing the agency's records. ~~However, a voter registration~~  
 717 ~~agency must forward a copy of each incompletd voter~~  
 718 ~~registration application within 5 days after receipt to the~~  
 719 ~~appropriate supervisor of elections.~~

720 (9) A voter registration agency must collect data  
 721 determined necessary by the department for program evaluation  
 722 and reporting to the ~~Federal~~ Election Assistance Commission

723 pursuant to federal law ~~the National Voter Registration Act of~~  
724 ~~1993~~.

725 Section 11. Section 97.061, Florida Statutes, is amended  
726 to read:

727 97.061 Special registration for electors requiring  
728 assistance.--

729 (1) Any person who is eligible to register and who is  
730 unable to read or write or who, because of some disability,  
731 needs assistance in voting shall upon that person's request be  
732 registered ~~by the supervisor~~ under the procedure prescribed by  
733 this section and shall be entitled to receive assistance at the  
734 polls under the conditions prescribed by this section.

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

739 (3) The precinct register generated by the supervisor  
740 shall contain ~~Upon registering any person pursuant to this~~  
741 ~~section, the supervisor must make a notation on the registration~~  
742 ~~books or records which are delivered to the polls on election~~  
743 ~~day~~ that such person is eligible for assistance in voting, and  
744 the supervisor shall ~~may issue such person a special~~  
745 ~~registration identification card or make a~~ some notation on the  
746 voter information ~~regular registration identification~~ card that  
747 such person is eligible for assistance in voting. Such person  
748 shall be entitled to receive the assistance of two election  
749 officials or some other person of his or her own choice, other  
750 than the person's employer, the agent of the person's employer,

751 or an officer or agent of the person's union, without the  
 752 necessity of executing the "Declaration to Secure Assistance"  
 753 prescribed in s. 101.051. Such person shall notify the  
 754 supervisor of any change in his or her condition which makes it  
 755 unnecessary for him or her to receive assistance in voting.

756 Section 12. Section 97.071, Florida Statutes, is amended  
 757 to read:

758 97.071 Voter information ~~Registration identification~~  
 759 card.--

760 (1) The department shall prescribe by rule a voter  
 761 information registration identification card that shall ~~must~~ be  
 762 furnished by the supervisor to all registered voters residing in  
 763 the supervisor's county. The card shall registering under the  
 764 ~~permanent single registration system and must~~ contain:

- 765 (a) Voter's registration number.
- 766 (b) Date of registration.
- 767 (c) Full name.
- 768 (d) Party affiliation.
- 769 ~~(e) Date of birth.~~
- 770 ~~(f) Race or ethnicity, if provided by the applicant.~~
- 771 ~~(g) Sex, if provided by the applicant.~~
- 772 (e)(h) Address of legal residence.
- 773 (f)(i) Precinct number.
- 774 (g)(j) Name of supervisor and contact information of  
 775 supervisor.
- 776 ~~(k) Place for voter's signature.~~
- 777 (h)(l) Other information deemed necessary by the  
 778 department.

779           (2) A voter may receive a replacement voter information ~~of~~  
 780 ~~a registration identification~~ card by providing a signed,  
 781 written request for a replacement card to a voter registration  
 782 official ~~the supervisor~~. Upon verification of registration, the  
 783 supervisor shall issue the voter a duplicate card without  
 784 charge.

785           (3) In the case of a change of name, address, or party  
 786 affiliation, the supervisor shall ~~must~~ issue the voter a new  
 787 voter information registration identification card. However, a  
 788 voter information registration identification card indicating a  
 789 party affiliation change made between the book-closing date for  
 790 the first primary election and the date of the second primary  
 791 election may not be issued until after the second primary  
 792 election.

793           Section 13. Section 97.073, Florida Statutes, is amended  
 794 to read:

795           97.073 Disposition of voter registration applications;  
 796 cancellation notice.--

797           (1) The supervisor must notify each applicant of the  
 798 disposition of the applicant's voter registration application.  
 799 The notice must inform the applicant that the application has  
 800 been approved, is incomplete, has been denied, or is a duplicate  
 801 of a current registration. A voter information registration  
 802 ~~identification~~ card sent to an applicant constitutes notice of  
 803 approval of registration. If the application is incomplete, the  
 804 supervisor must request that the applicant supply the missing  
 805 information using a voter registration application signed by the  
 806 applicant in writing and sign a statement that the additional

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807 ~~information is true and correct.~~ A notice of denial must inform  
808 the applicant of the reason the application was denied.

809 (2) Within 2 weeks after approval of a voter registration  
810 application that indicates that the applicant was previously  
811 registered in another state jurisdiction, the department  
812 ~~supervisor~~ must notify the registration official in the prior  
813 state jurisdiction that the applicant is now registered in this  
814 state the supervisor's county.

815 Section 14. Section 97.1031, Florida Statutes, is amended  
816 to read:

817 97.1031 Notice of change of residence ~~within the same~~  
818 ~~county, change of name, or change of party~~ affiliation.--

819 (1) When an elector moves from the address named on that  
820 person's voter registration record to another address within the  
821 state or changes his or her name by marriage or other legal  
822 process same county, the elector shall submit the new  
823 information to a voter registration official using a voter  
824 registration application signed by the elector ~~must provide~~  
825 ~~notification of such move to the supervisor of elections of that~~  
826 ~~county. The elector may provide the supervisor a signed, written~~  
827 ~~notice or may notify the supervisor by telephone or electronic~~  
828 ~~means. However, notification of such move other than by signed,~~  
829 ~~written notice must include the elector's date of birth. A voter~~  
830 information registration identification card reflecting the new  
831 information ~~address of legal residence~~ shall be issued to the  
832 elector as provided in subsection (3)(4).

833 ~~(2) When the name of an elector is changed by marriage or~~  
834 ~~other legal process, the elector must provide a signed, written~~

835 ~~notification of such change to the supervisor and obtain a~~  
 836 ~~registration identification card reflecting the new name.~~

837 (2)~~(3)~~ When an elector seeks to change party affiliation,  
 838 the elector shall ~~must~~ provide notice ~~a signed, written~~  
 839 ~~notification~~ of such intent to a voter registration official  
 840 using a voter registration application signed by the elector. A  
 841 voter information ~~the supervisor and obtain a registration~~  
 842 ~~identification~~ card reflecting the new party affiliation, shall  
 843 be issued by the supervisor to the elector subject to the  
 844 issuance restriction in s. 97.071(3).

845 (3)~~(4)~~ The voter registration official ~~supervisor~~ shall  
 846 make the necessary changes in the elector's records as soon as  
 847 practical upon receipt of such notice of a change of address of  
 848 legal residence, name, or party affiliation ~~and shall issue the~~  
 849 ~~new registration identification card as required by s.~~  
 850 ~~97.071(3).~~

851 Section 15. Section 97.105, Florida Statutes, is amended  
 852 to read:

853 97.105 Permanent single registration system  
 854 established.--A permanent single registration system for the  
 855 registration of electors to qualify them to vote in all  
 856 elections is provided for the several counties and  
 857 municipalities. This system shall be put into use by all  
 858 municipalities and shall be in lieu of any other system of  
 859 municipal registration. Electors shall be registered pursuant to  
 860 ~~in pursuance of~~ this system by a voter registration official ~~the~~  
 861 ~~supervisor or by a deputy supervisor~~, and electors registered

862 shall not thereafter be required to register or reregister  
863 except as provided by law.

864 Section 16. Subsections (3), (10), and (11) of section  
865 98.015, Florida Statutes, are amended to read:

866 98.015 Supervisor of elections; election, tenure of  
867 office, compensation, custody of books, office hours, successor,  
868 seal; appointment of deputy supervisors; duties.--

869 (3) The supervisor is required to update voter  
870 registration information and enter new voter registrations into  
871 the statewide voter registration system and to act as the  
872 official custodian of documents received by the supervisor  
873 related to the registration of electors and changes in voter  
874 registration status ~~the registration books and has the exclusive~~  
875 ~~control of matters pertaining to registration of electors.~~

876 (10) Each supervisor shall ~~must~~ ensure that all voter  
877 registration and list maintenance procedures conducted by such  
878 supervisor are in compliance with any applicable requirements  
879 prescribed by the department through the statewide voter  
880 registration system or prescribed by for that county under the  
881 Voting Rights Act of 1965, the National Voter Registration Act  
882 of 1993, and the Help America Vote Act of 2002.

883 (11) Each supervisor shall ensure that any voter  
884 registration system used by the supervisor for administering his  
885 or her duties as a voter registration official complies with the  
886 specifications and procedures established by the department and  
887 the statewide voter registration system ~~Each supervisor of~~  
888 ~~elections shall forward to the property appraiser for the county~~  
889 ~~in which the homestead is claimed the name of the person and the~~

890 ~~address of the homestead of each person who registers to vote at~~  
891 ~~an address other than that at which the person claims a~~  
892 ~~homestead exemption, as disclosed on the uniform statewide voter~~  
893 ~~registration application pursuant to s. 97.052.~~

894 Section 17. Section 98.035, Florida Statutes, is created  
895 to read:

896 98.035 Statewide voter registration system;  
897 implementation, operation, and maintenance.--

898 (1) The Secretary of State, as chief election officer of  
899 the state, shall be responsible for implementing, operating, and  
900 maintaining, in a uniform and nondiscriminatory manner, a  
901 single, uniform, official, centralized, interactive,  
902 computerized statewide voter registration system as required by  
903 the Help America Vote Act of 2002.

904 (2) The statewide voter registration system shall contain  
905 the name and registration information of every legally  
906 registered voter in the state. All voters shall be assigned a  
907 unique identifier. The system shall be the official list of  
908 registered voters in the state and shall provide secured access  
909 by authorized voter registration officials. The system shall  
910 enable voter registration officials to provide, access, and  
911 update voter registration information.

912 (3) The department shall not contract with any private  
913 entity for the operation of the statewide voter registration  
914 system.

915 (4) The implementation of the statewide voter registration  
916 system shall not prevent any supervisor of elections from  
917 acquiring, maintaining, or using any hardware or software

918 necessary or desirable to carry out the supervisor's  
 919 responsibilities related to the use of voter registration  
 920 information or the conduct of elections, provided that such  
 921 hardware or software does not conflict with the operation of the  
 922 statewide voter registration system.

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

926 Section 18. Section 98.045, Florida Statutes, is amended  
 927 to read:

928 98.045 Administration of voter registration.--

929 (1) ELIGIBILITY OF APPLICANT.--The department ~~Each~~  
 930 ~~supervisor~~ must ensure that any eligible applicant for voter  
 931 registration is registered to vote and that each application for  
 932 voter registration is processed in accordance with law. The  
 933 department shall determine whether a voter registration  
 934 applicant is ineligible based on any of the following:

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

937 (b) The applicant is deceased.

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

940 (d) The applicant has been adjudicated mentally  
 941 incapacitated with respect to the right to vote and such right  
 942 has not been restored.

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

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

946 (g) The applicant is a fictitious person.

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

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

952 (2) REMOVAL OF REGISTERED VOTERS.--

953 (a) Once a voter is registered, the name of that voter may  
 954 not be removed from the statewide voter registration system  
 955 ~~books~~ except at the written request of the voter, by reason of  
 956 the voter's conviction of a felony or adjudication as mentally  
 957 incapacitated with respect to voting, by death of the voter, or  
 958 pursuant to a registration list maintenance ~~program or other~~  
 959 ~~registration list maintenance~~ activity conducted pursuant to s.  
 960 98.065 or, s. 98.075, ~~or s. 98.0977.~~

961 (b)(2) Information received by a voter registration  
 962 official supervisor from an election official in another state  
 963 ~~jurisdiction~~ indicating that a registered voter in this state  
 964 ~~the supervisor's county~~ has registered to vote in that other  
 965 state jurisdiction shall be considered as a written request from  
 966 the voter to have the voter's name removed from the statewide  
 967 voter registration system ~~books of the supervisor's county.~~

968 (3) PUBLIC RECORDS ACCESS AND RETENTION.--Each voter  
 969 registration official ~~Notwithstanding the provisions of ss.~~  
 970 ~~98.095 and 98.0977,~~ each ~~supervisor~~ shall maintain for at least  
 971 2 years, and make available for public inspection and copying,  
 972 all records concerning implementation of registration list  
 973 maintenance programs and activities conducted pursuant to ss.

974 98.065 ~~and~~, 98.075, ~~and 98.0977~~. The records must include lists  
 975 of the name and address of each person to whom a ~~an~~ address  
 976 ~~confirmation~~ ~~final~~ notice was sent and information as to whether  
 977 each such person responded to the mailing, but may not include  
 978 any information that is confidential or exempt from public  
 979 records requirements under this code.

980 (4) STATEWIDE ELECTRONIC DATABASE OF VALID STREET  
 981 ADDRESSES.--

982 (a) The department shall compile and maintain a statewide  
 983 electronic database of valid street addresses; make all  
 984 reasonable efforts to coordinate with county 911, property  
 985 appraisers, the Department of Revenue, the United States Postal  
 986 Service, or other agencies as necessary to ensure the continued  
 987 accuracy of such lists; and evaluate the information to identify  
 988 any duplicate addresses and any address that may overlap county  
 989 boundaries.

990 (b) The department shall make the statewide database of  
 991 valid street addresses available to the Department of Highway  
 992 Safety and Motor Vehicles as provided for in s. 97.057(10). The  
 993 Department of Highway Safety and Motor Vehicles shall use the  
 994 database for purposes of validating the legal residential  
 995 addresses provided in voter registration applications received  
 996 by the Department of Highway Safety and Motor Vehicles.

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

1000 Section 19. Section 98.065, Florida Statutes, as amended  
 1001 by chapter 2002-281, Laws of Florida, is amended to read:

1002           98.065 Registration list maintenance programs.--

1003           (1) The supervisor must conduct a general registration

1004 list maintenance program to protect the integrity of the

1005 electoral process by ensuring the maintenance of accurate and

1006 current voter registration records in the statewide voter

1007 registration system. The program must be uniform,

1008 nondiscriminatory, and in compliance with the Voting Rights Act

1009 of 1965, the National Voter Registration Act of 1993, and the

1010 Help America Vote Act of 2002. As used in this subsection, the

1011 term "nondiscriminatory" applies to and includes persons with

1012 disabilities.

1013           (2) A supervisor must incorporate one or more of the

1014 following procedures in the supervisor's biennial registration

1015 list maintenance program under which:

1016           (a) Change-of-address information supplied by the United

1017 States Postal Service through its licensees is used to identify

1018 registered voters whose addresses might have changed;

1019           (b) Change-of-address information is identified from

1020 returned nonforwardable return-if-undeliverable mail sent to all

1021 registered voters in the county; or

1022           (c) Change-of-address information is identified from

1023 returned nonforwardable return-if-undeliverable address

1024 confirmation requests mailed to all registered voters who have

1025 not voted in the last 2 years and who did not make a written

1026 request that their registration records be updated during that

1027 time.

1028           (3) A registration list maintenance program must be

1029 conducted by each supervisor, at a minimum, in each odd-numbered

1030 year and must be completed not later than 90 days prior to the  
 1031 date of any federal election. A voter's name may not be removed  
 1032 from the statewide voter registration system ~~books~~ later than 90  
 1033 days prior to the date of a federal election. However, nothing  
 1034 in this section shall preclude the removal of the name of a  
 1035 voter from the statewide voter registration system ~~books~~, at any  
 1036 time and without prior notification, upon the written request of  
 1037 the voter, by reason of conviction of the voter of a felony, by  
 1038 reason of adjudication of the voter as mentally incapacitated  
 1039 with respect to voting, by reason of the death of the voter, or  
 1040 upon a determination of ineligibility as provided in s.  
 1041 98.075(3). All list maintenance actions associated with each  
 1042 voter must be entered, tracked, and maintained in the statewide  
 1043 voter registration system.

1044 (4)(a) If the supervisor receives change-of-address  
 1045 information pursuant to the activities conducted in subsection  
 1046 (2), from jury notices signed by the voter and returned to the  
 1047 courts, from the Department of Highway Safety and Motor  
 1048 Vehicles, or from other sources, which information indicates  
 1049 that the legal address of a registered voter might have changed,  
 1050 the supervisor shall send by forwardable return-if-undeliverable  
 1051 mail an address confirmation notice to the address at which the  
 1052 voter was last registered. A supervisor may also send an address  
 1053 confirmation notice to any voter who the supervisor has reason  
 1054 to believe has moved from his or her legal residence.

1055 (b) The address confirmation notice shall contain a  
 1056 postage prepaid preaddressed return form on which:

1057 1. If the voter has changed his or her address of legal  
 1058 residence to a location outside the state, the voter shall mark  
 1059 that the voter's legal residence has changed to a location  
 1060 outside the state. The form shall also include information on  
 1061 how to register in the new state in order to be eligible to  
 1062 vote. The form must be returned within 30 days after the date of  
 1063 the notice. The completed form shall constitute a request to be  
 1064 removed from the statewide voter registration system.

1065 2. If the voter has changed his or her address of legal  
 1066 residence to a location inside the state, the voter shall set  
 1067 forth the updated or corrected address and submit the return  
 1068 form within 30 days after the date of the notice. The completed  
 1069 form shall constitute a request to update the statewide voter  
 1070 registration system with the updated or corrected address  
 1071 information.

1072 3. If the voter has not changed his or her address of  
 1073 legal residence as printed on the address confirmation notice,  
 1074 the voter shall confirm that his or her address of legal  
 1075 residence has not changed and submit the form within 30 days  
 1076 after the date of the notice.

1077 (c) The supervisor must designate as inactive all voters  
 1078 who have been sent an address confirmation notice and who have  
 1079 not returned the postage prepaid preaddressed return form within  
 1080 30 days or for which an address confirmation notice has been  
 1081 returned as undeliverable. Names on the inactive list may not be  
 1082 used to calculate the number of signatures needed on any  
 1083 petition. A voter on the inactive list may be restored to the  
 1084 active list of voters upon the voter updating his or her

1085 registration, requesting an absentee ballot, or appearing to  
 1086 vote. However, if the voter does not update his or her voter  
 1087 registration information, request an absentee ballot, or vote by  
 1088 the second general election after being placed on the inactive  
 1089 list, the voter's name shall be removed from the statewide voter  
 1090 registration system and the voter shall be required to  
 1091 reregister to have his or her name restored to the statewide  
 1092 voter registration system.

1093 (5) No notice may be issued pursuant to this section and  
 1094 no voter's name may be removed from the statewide voter  
 1095 registration system later than 90 days prior to the date of a  
 1096 federal election. However, nothing in this section shall  
 1097 preclude the removal of the name of a voter from the statewide  
 1098 voter registration system at any time upon the voter's written  
 1099 request, by reason of the voter's death, or upon a determination  
 1100 of the voter's ineligibility as provided in s. 98.075(7).

1101 (6)(a) No later than July 31 and January 31 of each year,  
 1102 the supervisor must certify to the department the list  
 1103 maintenance activities conducted during the first 6 months and  
 1104 the second 6 months of the year, respectively, including the  
 1105 number of address confirmation requests sent, the number of  
 1106 address confirmation final notices sent, the number of voters  
 1107 designated as inactive, and the number of voters removed from  
 1108 the statewide voter registration system.

1109 (b) If, based on the certification provided pursuant to  
 1110 paragraph (a), the department determines that a supervisor has  
 1111 not conducted the list maintenance activities as required by  
 1112 this section, the department shall conduct the appropriate list

1113 maintenance activities for that county. Failure to conduct list  
 1114 maintenance activities as required in this section shall  
 1115 constitute a violation of s. 104.051.

1116 ~~(4) If the supervisor receives change of address~~  
 1117 ~~information from the United States Postal Service or its~~  
 1118 ~~licensees or from jury notices signed by the voter and returned~~  
 1119 ~~to the courts, which indicates that:~~

1120 ~~(a) The voter has moved within the supervisor's county,~~  
 1121 ~~the supervisor must change the registration records to show the~~  
 1122 ~~new address and must send the voter a notice of the change by~~  
 1123 ~~forwardable mail, including a postage prepaid preaddressed~~  
 1124 ~~return form with which the voter may verify or correct the~~  
 1125 ~~address information.~~

1126 ~~(b) The voter has moved outside the supervisor's county,~~  
 1127 ~~or contains no forwarding address, the supervisor shall send an~~  
 1128 ~~address confirmation final notice and remove the name of the~~  
 1129 ~~voter from the registration record if that voter did not:~~

- 1130 ~~1. Return the postage prepaid preaddressed return form;~~
- 1131 ~~2. Appear to vote;~~
- 1132 ~~3. Change the voter's registration; or~~
- 1133 ~~4. Request an absentee ballot~~

1134  
 1135 ~~during the period beginning on the date when the address~~  
 1136 ~~confirmation final notice was sent and ending on the day after~~  
 1137 ~~the date of the second general election thereafter.~~

1138 ~~(5) The supervisor must designate as inactive all voters~~  
 1139 ~~who have been sent an address confirmation final notice and who~~  
 1140 ~~have not returned the postage prepaid preaddressed return form~~

1141 ~~within 30 days. A voter on the inactive list must be allowed to~~  
 1142 ~~vote and to change the voter's name or address of legal~~  
 1143 ~~residence at the polls pursuant to s. 101.045. Names on the~~  
 1144 ~~inactive list may not be used to calculate the number of~~  
 1145 ~~signatures needed on any petition or the quantity of voting~~  
 1146 ~~equipment needed.~~

1147 Section 20. Section 98.075, Florida Statutes, is amended  
 1148 to read:

1149 (Substantial rewording of section. See  
 1150 s. 98.075, F.S., for present text)

1151 98.075 Registration records maintenance activities;  
 1152 ineligibility determinations.--

1153 (1) MAINTENANCE OF RECORDS.--The department shall protect  
 1154 the integrity of the electoral process by ensuring the  
 1155 maintenance of accurate and current voter registration records.  
 1156 List maintenance activities must be uniform, nondiscriminatory,  
 1157 and in compliance with the Voting Rights Act of 1965, the  
 1158 National Voter Registration Act of 1993, and the Help America  
 1159 Vote Act of 2002.

1160 (2) DUPLICATE REGISTRATION.--The department shall identify  
 1161 those voters who are registered more than once or those  
 1162 applicants whose registration applications would result in  
 1163 duplicate registrations. The most recent application shall be  
 1164 deemed an update to the voter registration record.

1165 (3) DECEASED PERSONS.--The department shall identify those  
 1166 registered voters who are deceased by comparing information on  
 1167 the lists of deceased persons received from the Department of  
 1168 Health as provided in s. 98.093. Upon receipt of such

1169 information through the statewide voter registration system, the  
 1170 supervisor shall remove the name of the registered voter.

1171 (4) ADJUDICATION OF MENTAL INCAPACITY.--The department  
 1172 shall identify those registered voters who have been adjudicated  
 1173 mentally incapacitated with respect to voting and who have not  
 1174 had their voting rights restored by comparing information  
 1175 received from the clerk of the circuit court as provided in s.  
 1176 98.093. The department shall review such information and make an  
 1177 initial determination as to whether the information is credible  
 1178 and reliable. If the department determines that the information  
 1179 is credible and reliable, the department shall notify the  
 1180 supervisor and provide a copy of the supporting documentation  
 1181 indicating the potential ineligibility of the voter to be  
 1182 registered. Upon receipt of the notice that the department has  
 1183 made a determination of initial credibility and reliability, the  
 1184 supervisor shall adhere to the procedures set forth in  
 1185 subsection (7) prior to the removal of a registered voter from  
 1186 the statewide voter registration system.

1187 (5) FELONY CONVICTION.--The department shall identify  
 1188 those registered voters who have been convicted of a felony and  
 1189 whose rights have not been restored by comparing information  
 1190 received from, but not limited to, a clerk of the circuit court,  
 1191 the Board of Executive Clemency, the Department of Corrections,  
 1192 the Department of Law Enforcement, and a United States  
 1193 Attorney's Office, as provided in s. 98.093. The department  
 1194 shall review such information and make an initial determination  
 1195 as to whether the information is credible and reliable. If the  
 1196 department determines that the information is credible and

1197 reliable, the department shall notify the supervisor and provide  
 1198 a copy of the supporting documentation indicating the potential  
 1199 ineligibility of the voter to be registered. Upon receipt of the  
 1200 notice that the department has made a determination of initial  
 1201 credibility and reliability, the supervisor shall adhere to the  
 1202 procedures set forth in subsection (7) prior to the removal of a  
 1203 registered voter's name from the statewide voter registration  
 1204 system.

1205 (6) OTHER BASES FOR INELIGIBILITY.--If the department or  
 1206 voter registration official receives information other than from  
 1207 the sources identified in subsections (2)-(5) that a registered  
 1208 voter does not meet the age requirement pursuant to s. 97.041,  
 1209 is not a United States citizen, is a fictitious person, or has  
 1210 listed a residence that is not his or her legal residence, the  
 1211 supervisor shall adhere to the procedures set forth in  
 1212 subsection (7) prior to the removal of a registered voter's name  
 1213 from the statewide voter registration system.

1214 (7) PROCEDURES FOR REMOVAL.--

1215 (a) If the supervisor receives notice or information  
 1216 pursuant to subsections (4)-(6), the supervisor of the county in  
 1217 which the voter is registered shall:

1218 1. Notify the registered voter of his or her potential  
 1219 ineligibility by mail within 7 days after receipt of notice or  
 1220 information. The notice shall include:

1221 a. A statement of the basis for the registered voter's  
 1222 potential ineligibility and a copy of any documentation upon  
 1223 which the potential ineligibility is based.

1224 b. A statement that failure to respond within 30 days  
 1225 after receipt of the notice may result in a determination of  
 1226 ineligibility and in the removal of the registered voter's name  
 1227 from the statewide voter registration system.

1228 c. A return form that requires the registered voter to  
 1229 admit or deny the accuracy of the information underlying the  
 1230 potential ineligibility for purposes of a final determination by  
 1231 the supervisor.

1232 d. A statement that, if the voter is denying the accuracy  
 1233 of the information underlying the potential ineligibility, the  
 1234 voter has a right to request a hearing for the purpose of  
 1235 determining eligibility.

1236 e. Instructions for the registered voter to contact the  
 1237 supervisor of elections of the county in which the voter is  
 1238 registered if assistance is needed in resolving the matter.

1239 f. Instructions for seeking restoration of civil rights  
 1240 following a felony conviction, if applicable.

1241 2. If the mailed notice is returned as undeliverable, the  
 1242 supervisor shall publish notice once in a newspaper of general  
 1243 circulation in the county in which the voter was last  
 1244 registered. The notice shall contain the following:

1245 a. The voter's name and address.

1246 b. A statement that the voter is potentially ineligible to  
 1247 be registered to vote.

1248 c. A statement that failure to respond within 30 days from  
 1249 the published notice may result in a determination of  
 1250 ineligibility by the supervisor and the removal of the

1251 registered voter's name from the statewide voter registration  
1252 system.

1253 d. An instruction for the voter to contact the supervisor  
1254 no later than 30 days from the date of the published notice to  
1255 receive information regarding the basis for the potential  
1256 ineligibility and the procedure to resolve the matter.

1257 e. An instruction to the voter that, if further assistance  
1258 is needed, the voter should contact the supervisor of elections  
1259 of the county in which the voter is registered.

1260 3. If a registered voter fails to respond to a notice  
1261 pursuant to subparagraph 1. or subparagraph 2., the supervisor  
1262 shall make a final determination of the voter's eligibility. If  
1263 the supervisor determines that the voter is ineligible, the  
1264 supervisor shall remove the name of the registered voter from  
1265 the statewide voter registration system. The supervisor shall  
1266 notify the registered voter of his or her determination and  
1267 action.

1268 4. If a registered voter responds to the notice pursuant  
1269 to subparagraph 1. or subparagraph 2. and admits the accuracy of  
1270 the information underlying the potential ineligibility, the  
1271 supervisor shall make a final determination of ineligibility and  
1272 shall remove the voter's name from the statewide voter  
1273 registration system. The supervisor shall notify the registered  
1274 voter of his or her determination and action.

1275 5. If a registered voter responds to the notice issued  
1276 pursuant to subparagraph 1. or subparagraph 2. and denies the  
1277 accuracy of the information underlying the potential  
1278 ineligibility but does not request a hearing, the supervisor

1279 shall review the evidence and make a final determination of  
 1280 eligibility. If such registered voter requests a hearing, the  
 1281 supervisor shall send notice to the registered voter to attend a  
 1282 hearing at a time and place specified in the notice. Upon  
 1283 hearing all evidence presented at the hearing, the supervisor  
 1284 shall make a determination of eligibility. If the supervisor  
 1285 determines that the registered voter is ineligible, the  
 1286 supervisor shall remove the voter's name from the statewide  
 1287 voter registration system and notify the registered voter of his  
 1288 or her determination and action.

1289 (b) The following shall apply to this subsection:

1290 1. All determinations of eligibility shall be based on a  
 1291 preponderance of the evidence.

1292 2. All proceedings are exempt from the provisions of  
 1293 chapter 120.

1294 3. Any notice shall be sent by certified mail, return  
 1295 receipt requested, or other means that provides a verification  
 1296 of receipt to the registered voter or by publication in a  
 1297 newspaper of general circulation where the voter was last  
 1298 registered, whichever is applicable.

1299 4. The supervisor shall remove the name of any registered  
 1300 voter from the statewide voter registration system only after  
 1301 the supervisor makes a final determination that the voter is  
 1302 ineligible.

1303 5. Any voter whose name has been removed from the  
 1304 statewide voter registration system pursuant to a determination  
 1305 of ineligibility may appeal that determination under the  
 1306 provisions of s. 98.0755.

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1307       6. Any voter whose name was removed from the statewide  
1308 voter registration system on the basis of a determination of  
1309 ineligibility who subsequently becomes eligible to vote shall be  
1310 required to reregister to have his or her name restored to the  
1311 statewide voter registration system.

1312       (8)(a) No later than July 31 and January 31 of each year,  
1313 the supervisor shall certify to the department the activities  
1314 conducted pursuant to this section during the first 6 months and  
1315 the second 6 months of the year, respectively. The certification  
1316 shall include the number of persons to whom notices were sent  
1317 pursuant to subsection (7), the number of persons who responded  
1318 to the notices, the number of notices returned as undeliverable,  
1319 the number of notices published in the newspaper, the number of  
1320 hearings conducted, and the number of persons removed from the  
1321 statewide voter registration systems and the reasons for such  
1322 removals.

1323       (b) If, based on the certification provided pursuant to  
1324 paragraph (a), the department determines that a supervisor has  
1325 not satisfied the requirements of this section, the department  
1326 shall satisfy the appropriate requirements for that county.  
1327 Failure to satisfy the requirements of this section shall  
1328 constitute a violation of s. 104.051.

1329       Section 21. Section 98.0755, Florida Statutes, is created  
1330 to read:

1331       98.0755 Appeal of determination of ineligibility.--Appeal  
1332 of the department's determination of ineligibility pursuant to  
1333 s. 98.075(7) may be taken to the circuit court in and for the  
1334 county where the person was registered. Notice of appeal must be

1335 filed within the time and in the manner provided by the Florida  
 1336 Rules of Appellate Procedure and acts as supersedeas. Trial in  
 1337 the circuit court is de novo and governed by the rules of that  
 1338 court. Unless the person can show that his or her name was  
 1339 erroneously or illegally removed from the statewide voter  
 1340 registration system, or that he or she is indigent, the person  
 1341 must bear the costs of the trial in the circuit court.  
 1342 Otherwise, the cost of the appeal must be paid by the  
 1343 department.

1344 Section 22. Section 98.077, Florida Statutes, is amended  
 1345 to read:

1346 98.077 Update of voter signature.--

1347 (1) A registered voter may update his or her signature on  
 1348 file in the statewide voter registration system at any time  
 1349 using a voter registration application submitted to a voter  
 1350 registration official.

1351 (2) The department and supervisors ~~supervisor~~ of elections  
 1352 shall include in any correspondence, other than postcard  
 1353 notifications and notices relating to eligibility, sent to a  
 1354 ~~provide to each~~ registered voter information regarding ~~of the~~  
 1355 ~~county the opportunity to update his or her signature on file at~~  
 1356 ~~the supervisor's office by providing notification of the ability~~  
 1357 ~~to do so in any correspondence, other than postcard~~  
 1358 ~~notifications, sent to the voter. The notice shall advise when,~~  
 1359 ~~where, and how to update the voter's signature and shall provide~~  
 1360 ~~the voter information on how to obtain a voter registration~~  
 1361 application form from a voter registration official the  
 1362 ~~supervisor~~ that can be returned to update the signature.

1363           (3) ~~In addition,~~ At least once during each general  
 1364 election year, the supervisor shall publish in a newspaper of  
 1365 general circulation or other newspaper in the county deemed  
 1366 appropriate by the supervisor a notice specifying when, where,  
 1367 or how a voter can update his or her signature that is on file  
 1368 or how a voter can obtain a voter registration application form  
 1369 from a voter registration official ~~the supervisor~~ to do so.

1370           (4) All signature updates for use in verifying absentee  
 1371 and provisional ballots must be received by the appropriate  
 1372 supervisor of elections no later than the start of the  
 1373 canvassing of absentee ballots by the canvassing board. The  
 1374 signature on file at the start of the canvass of the absentees  
 1375 is the signature that shall be used in verifying the signature  
 1376 on the absentee and provisional ballot certificates.

1377           Section 23. Section 98.081, Florida Statutes, is amended  
 1378 to read:

1379           98.081 Names removed from the statewide voter registration  
 1380 system books; restrictions on reregistering; recordkeeping;  
 1381 restoration of erroneously or illegally removed names.--

1382           (1) Any person who requested that his or her name be  
 1383 removed from the statewide voter registration system books  
 1384 between the book-closing date of the first primary and the date  
 1385 of the second primary may not register in a different political  
 1386 party until after the date of the second primary election.

1387           (2) When the name of any elector is removed from the  
 1388 statewide voter registration system books pursuant to s. 98.065  
 1389 or, s. 98.075, ~~or s. 98.093~~, the elector's original registration  
 1390 application form shall be retained by the voter registration

1391 official having custody of the application ~~filed alphabetically~~  
 1392 ~~in the office of the supervisor~~. As alternatives, registrations  
 1393 removed from the statewide voter registration system ~~books~~ may  
 1394 be microfilmed and such microfilms substituted for the original  
 1395 registration applications ~~forms~~; or, when voter registration  
 1396 information, including the voter's signature, is maintained  
 1397 digitally or on electronic, magnetic, or optic media, such  
 1398 stored information may be substituted for the original  
 1399 registration application ~~form~~. Such microfilms or stored  
 1400 information shall be retained by the voter registration official  
 1401 having ~~in the custody of the supervisor~~. In the event the  
 1402 original registration applications ~~forms~~ are microfilmed or  
 1403 maintained digitally or on electronic or other media, such  
 1404 originals may be destroyed in accordance with the schedule  
 1405 approved by the Bureau of Archives and Records Management of the  
 1406 Division of Library and Information Services of the department.

1407 (3) When the name of any elector has been erroneously or  
 1408 illegally removed from the statewide voter registration system  
 1409 ~~books~~, the name of the elector shall be restored by a voter  
 1410 registration official ~~the supervisor~~ upon satisfactory proof,  
 1411 even though the registration period for that election is closed.

1412 Section 24. Section 98.093, Florida Statutes, is amended  
 1413 to read:

1414 98.093 Duty of officials to furnish lists of deceased  
 1415 persons, persons adjudicated mentally incapacitated, and persons  
 1416 convicted of a felony.--

1417 (1) In order to ensure the maintenance of accurate and  
 1418 current voter registration records, it is necessary for the

1419 department to receive certain information from state and federal  
 1420 officials and entities. The department shall use the information  
 1421 provided from the sources in subsection (2) to maintain the  
 1422 voter registration records.

1423 (2) To the maximum extent feasible, state and local  
 1424 government agencies shall facilitate provision of information  
 1425 and access to data to the department, including, but not limited  
 1426 to, databases that contain reliable criminal records and records  
 1427 of deceased persons. State and local government agencies that  
 1428 provide such data shall do so without charge if the direct cost  
 1429 incurred by those agencies is not significant.

1430 (a) The Department of Health shall furnish monthly to the  
 1431 department ~~each supervisor of elections~~ a list containing the  
 1432 name, address, date of birth, date of death, social security  
 1433 number, race, and sex of each deceased person 17 years of age or  
 1434 older ~~who was a resident of such supervisor's county.~~

1435 (b)(2) Each clerk of the circuit court shall furnish  
 1436 monthly to the department, ~~at least once each month, deliver to~~  
 1437 ~~each supervisor of elections~~ a list of those persons who have  
 1438 been adjudicated mentally incapacitated with respect to voting  
 1439 during the preceding calendar month, a list of those persons  
 1440 whose mental capacity with respect to voting has been restored  
 1441 during the preceding calendar month, and a list of those persons  
 1442 who have returned signed jury notices during the preceding  
 1443 months to the clerk of the circuit court indicating a change of  
 1444 address. Each list shall include ~~stating~~ the name, address, date  
 1445 of birth, race, ~~and~~ sex, and, whichever is available, the  
 1446 Florida driver's license number, Florida identification card

1447 number, or social security number of each such person ~~convicted~~  
 1448 ~~of a felony during the preceding calendar month who was a~~  
 1449 ~~resident of that supervisor's county, a list stating the name,~~  
 1450 ~~address, date of birth, race, and sex of each person adjudicated~~  
 1451 ~~mentally incapacitated with respect to voting during the~~  
 1452 ~~preceding calendar month who was a resident of that supervisor's~~  
 1453 ~~county, and a list stating the name, address, date of birth,~~  
 1454 ~~race, and sex of each person whose mental capacity with respect~~  
 1455 ~~to voting has been restored who was a resident of that~~  
 1456 ~~supervisor's county.~~

1457 (c)(3) Upon receipt of information from the United States  
 1458 Attorney, listing persons convicted of a felony in federal  
 1459 court, the department shall use such information to identify  
 1460 registered voters or applicants for voter registration who may  
 1461 be potentially ineligible based on information provided in  
 1462 accordance with s. 98.075 ~~immediately forward such information~~  
 1463 ~~to the supervisor of elections for the county where the offender~~  
 1464 ~~resides.~~

1465 (d) The Department of Law Enforcement shall furnish  
 1466 monthly to the department a list of those persons who have been  
 1467 convicted of a felony in the preceding month or any updates to  
 1468 prior records that may have occurred in the preceding month. The  
 1469 list shall contain the name, address, date of birth, race, sex,  
 1470 date of conviction, county of conviction, social security  
 1471 number, and a unique identifier of each conviction of each  
 1472 person.

1473 (e) The Board of Executive Clemency shall furnish monthly  
 1474 to the department a list of those persons granted clemency in

1475 the preceding month or any updates to prior records that may  
1476 have occurred in the preceding month. The list shall contain the  
1477 Board of Executive Clemency case number, name, address, date of  
1478 birth, race, sex, and, where available, the social security  
1479 number, references to record identifiers assigned by the  
1480 Department of Corrections, a unique identifier of each clemency  
1481 case, and the effective date of clemency of each person.

1482 (f) The Department of Corrections shall furnish monthly to  
1483 the department a list of those persons transferred to the  
1484 Department of Corrections in the preceding month or any updates  
1485 to prior records that may have occurred in the preceding month.  
1486 The list shall contain the name, address, date of birth, race,  
1487 sex, social security number, Department of Corrections record  
1488 identification number, and associated Department of Law  
1489 Enforcement felony conviction record number of each person.

1490 (g) The Department of Highway Safety and Motor Vehicles  
1491 shall furnish monthly to the department a list of those persons  
1492 whose names have been removed from the driver's license database  
1493 because they have been licensed in another state. The list shall  
1494 contain the name, address, date of birth, sex, social security  
1495 number, and driver's license number of each such person.

1496 ~~(4) Upon receipt of any such list, the supervisor shall~~  
1497 ~~remove from the registration books the name of any person listed~~  
1498 ~~who is deceased, convicted of a felony, or adjudicated mentally~~  
1499 ~~incapacitated with respect to voting. A person who has had his~~  
1500 ~~or her mental capacity with respect to voting restored or who~~  
1501 ~~has had his or her right to vote restored after conviction of a~~

1502 ~~felony shall be required to reregister to have his or her name~~  
 1503 ~~restored to the registration books.~~

1504 (3)(5) Nothing in this section shall limit or restrict the  
 1505 department in its duty or the supervisor in his or her duty to  
 1506 remove the names of such persons from the statewide voter  
 1507 registration system pursuant to s. 98.075(7) based upon books  
 1508 after verification of information received from other sources.

1509 Section 25. Section 98.0981, Florida Statutes, is created  
 1510 to read:

1511 98.0981 Statewide voter registration database;  
 1512 preservation.--

1513 (1) The department shall send to the Legislature in  
 1514 electronic format a file containing all voters qualified as of  
 1515 the close of books for an election to vote in such election. The  
 1516 file shall contain a unique identifier of the voter; the  
 1517 information requested in the uniform statewide voter  
 1518 registration application pursuant to s. 97.052(2); the date of  
 1519 registration; the representative district, senatorial district,  
 1520 congressional district, and precinct in which the voter resides;  
 1521 the ballot design used by the voter; and whether the voter voted  
 1522 at the poll, by absentee ballot, or by early vote at a  
 1523 designated location, or whether the voter did not vote. If a  
 1524 person voted by absentee ballot and the ballot was not counted,  
 1525 the file shall contain the reason the ballot was not counted.  
 1526 This file shall be delivered within 60 days after an election to  
 1527 the Legislature.

1528 (2) The department shall certify whether the totals in the  
 1529 file pursuant to subsection (1) match the published totals of

1530 votes as certified by the canvassing boards. If the totals do  
 1531 not match, the department shall give a report to the Legislature  
 1532 explaining why the totals do not match.

1533 Section 26. Section 98.212, Florida Statutes, is amended  
 1534 to read:

1535 98.212 Department and supervisors to furnish statistical  
 1536 and other information.--

1537 (1)(a) Upon written request, the department and any  
 1538 supervisor of the respective counties ~~supervisors~~ shall, as  
 1539 promptly as possible, furnish to recognized public or private  
 1540 universities and senior colleges within the state, to state or  
 1541 county governmental agencies, and to recognized political party  
 1542 committees statistical information for the purpose of analyzing  
 1543 election returns and results.

1544 (b) The department and any supervisor ~~Supervisors~~ may  
 1545 require reimbursement for any part or all of the actual expenses  
 1546 of supplying any information requested under paragraph (a). For  
 1547 the purposes of this subsection, the department and supervisors  
 1548 may use the services of any research and statistical personnel  
 1549 that may be supplied.

1550 (c) Lists of names submitted to the department and any  
 1551 supervisor of the respective counties ~~supervisors~~ for indication  
 1552 of registration or nonregistration or of party affiliation shall  
 1553 be processed at any time at cost, except that in no case shall  
 1554 the charge exceed 10 cents for each name on which the  
 1555 information is furnished.

1556 (2) The supervisors shall provide information as requested  
 1557 by the department for program evaluation and reporting to the

1558 ~~Federal~~ Election Assistance Commission pursuant to federal law  
 1559 ~~the National Voter Registration Act of 1993.~~

1560 Section 27. Section 98.461, Florida Statutes, is amended  
 1561 to read:

1562 98.461 Registration application form, precinct register;  
 1563 contents.--

1564 (1) A registration application form, approved by the  
 1565 Department of State, containing the information required in s.  
 1566 97.052 shall be retained by the voter registration official  
 1567 receiving the application filed alphabetically in the office of  
 1568 the supervisor as the master list of electors of the county.

1569 However, the registration application forms may be microfilmed  
 1570 and such microfilm microfilms substituted for the original  
 1571 registration application forms; or, when voter registration  
 1572 information, including the voter's signature, is maintained  
 1573 digitally or on electronic, magnetic, or optic media, such  
 1574 stored information may be substituted for the original  
 1575 registration application form. Such microfilms or stored  
 1576 information shall be retained in the custody of the voter  
 1577 registration official receiving the applications supervisor of  
 1578 elections. In the event the original registration applications  
 1579 forms are microfilmed or maintained digitally or on electronic  
 1580 or other media, such originals may be destroyed in accordance  
 1581 with the schedule approved by the Bureau of Archives and Records  
 1582 Management of the Division of Library and Information Services  
 1583 of the Department of State. ~~As an alternative, the information~~  
 1584 ~~from the registration form, including the signature, may be~~  
 1585 ~~electronically reproduced and stored as provided in s. 98.451.~~

1586           (2) A computer printout or electronic database shall be  
 1587 used at the polls as a precinct register ~~in lieu of the~~  
 1588 ~~registration books~~. The precinct register shall contain the date  
 1589 of the election, the precinct number, and the following  
 1590 information concerning each registered elector: last name, first  
 1591 name, ~~and~~ middle name or initial, and suffix; party affiliation;  
 1592 residence address; registration number; date of birth; sex, if  
 1593 provided; ~~race, if provided~~; whether the voter needs assistance  
 1594 in voting; and such other additional information as to readily  
 1595 identify the elector. The precinct register shall also contain a  
 1596 space for the elector's signature and a space for the initials  
 1597 of the witnessing clerk or inspector or an electronic device may  
 1598 be provided for this purpose.

1599           Section 28. Effective January 1, 2007, section 100.371,  
 1600 Florida Statutes, is amended to read:

1601           100.371 Initiatives; procedure for placement on ballot.--

1602           (1) Constitutional amendments proposed by initiative shall  
 1603 be placed on the ballot for the general election provided the  
 1604 initiative has been filed with ~~occurring in excess of 90 days~~  
 1605 ~~from the certification of ballot position by the Secretary of~~  
 1606 State no later than February 1 of the year the general election  
 1607 is held. A petition shall be deemed to be filed with the  
 1608 Secretary of State upon the date the secretary determines that  
 1609 the petition has been signed by the constitutionally required  
 1610 number of electors.

1611           ~~(2) Such certification shall be issued when the Secretary~~  
 1612 ~~of State has received verification certificates from the~~  
 1613 ~~supervisors of elections indicating that the requisite number~~

1614 ~~and distribution of valid signatures of electors have been~~  
1615 ~~submitted to and verified by the supervisors. Every signature~~  
1616 ~~shall be dated when made and shall be valid for a period of 4~~  
1617 ~~years following such date, provided all other requirements of~~  
1618 ~~law are complied with.~~

1619       ~~(2)~~(3) The sponsor of an initiative amendment shall, prior  
1620 to obtaining any signatures, register as a political committee  
1621 pursuant to s. 106.03 and submit the text of the proposed  
1622 amendment to the Secretary of State, with the form on which the  
1623 signatures will be affixed, and shall obtain the approval of the  
1624 Secretary of State of such form. The Secretary of State shall  
1625 promulgate rules pursuant to s. 120.54 prescribing the style and  
1626 requirements of such form.

1627       ~~(3)~~(4) Each signature shall be dated when made and shall  
1628 be valid for a period of 4 years following such date, provided  
1629 all other requirements of law are met. The sponsor shall submit  
1630 signed and dated forms to the appropriate supervisor of  
1631 elections for verification as to the number of registered  
1632 electors whose valid signatures appear thereon. The supervisor  
1633 shall promptly verify the signatures upon payment of the fee  
1634 required by s. 99.097. The supervisor shall promptly record each  
1635 valid signature in the statewide voter registration system in  
1636 the manner prescribed by the Secretary of State. ~~Upon completion~~  
1637 ~~of verification, the supervisor shall execute a certificate~~  
1638 ~~indicating the total number of signatures checked, the number of~~  
1639 ~~signatures verified as valid and as being of registered~~  
1640 ~~electors, and the distribution by congressional district. This~~  
1641 ~~certificate shall be immediately transmitted to the Secretary of~~

1642 ~~State.~~ The supervisor shall retain the signature forms for at  
 1643 least 1 year following the election in which the issue appeared  
 1644 on the ballot or until the Division of Elections notifies the  
 1645 supervisors of elections that the committee which circulated the  
 1646 petition is no longer seeking to obtain ballot position.

1647 (4)~~(5)~~ The Secretary of State shall determine from the  
 1648 signatures verified by the ~~verification certificates received~~  
 1649 ~~from~~ supervisors of elections and recorded in the statewide  
 1650 voter registration system the total number of verified valid  
 1651 signatures and the distribution of such signatures by  
 1652 congressional districts. Upon a determination that the requisite  
 1653 number and distribution of valid signatures have been obtained,  
 1654 the secretary shall issue a certificate of ballot position for  
 1655 that proposed amendment and shall assign a designating number  
 1656 pursuant to s. 101.161. ~~A petition shall be deemed to be filed~~  
 1657 ~~with the Secretary of State upon the date of the receipt by the~~  
 1658 ~~secretary of a certificate or certificates from supervisors of~~  
 1659 ~~elections indicating the petition has been signed by the~~  
 1660 ~~constitutionally required number of electors.~~

1661 (5)~~(6)~~(a) Within 45 days after receipt of a proposed  
 1662 revision or amendment to the State Constitution by initiative  
 1663 petition from the Secretary of State ~~or, within 30 days after~~  
 1664 ~~such receipt if receipt occurs 120 days or less before the~~  
 1665 ~~election at which the question of ratifying the amendment will~~  
 1666 ~~be presented,~~ the Financial Impact Estimating Conference shall  
 1667 complete an analysis and financial impact statement to be placed  
 1668 on the ballot of the estimated increase or decrease in any  
 1669 revenues or costs to state or local governments resulting from

1670 the proposed initiative. The Financial Impact Estimating  
1671 Conference shall submit the financial impact statement to the  
1672 Attorney General and Secretary of State.

1673 (b)1. The Financial Impact Estimating Conference shall  
1674 provide an opportunity for any proponents or opponents of the  
1675 initiative to submit information and may solicit information or  
1676 analysis from any other entities or agencies, including the  
1677 Office of Economic and Demographic Research. All meetings of the  
1678 Financial Impact Estimating Conference shall be open to the  
1679 public as provided in chapter 286.

1680 2. The Financial Impact Estimating Conference is  
1681 established to review, analyze, and estimate the financial  
1682 impact of amendments to or revisions of the State Constitution  
1683 proposed by initiative. The Financial Impact Estimating  
1684 Conference shall consist of four principals: one person from the  
1685 Executive Office of the Governor; the coordinator of the Office  
1686 of Economic and Demographic Research, or his or her designee;  
1687 one person from the professional staff of the Senate; and one  
1688 person from the professional staff of the House of  
1689 Representatives. Each principal shall have appropriate fiscal  
1690 expertise in the subject matter of the initiative. A Financial  
1691 Impact Estimating Conference may be appointed for each  
1692 initiative.

1693 3. Principals of the Financial Impact Estimating  
1694 Conference shall reach a consensus or majority concurrence on a  
1695 clear and unambiguous financial impact statement, no more than  
1696 75 words in length, and immediately submit the statement to the  
1697 Attorney General. Nothing in this subsection prohibits the

1698 Financial Impact Estimating Conference from setting forth a  
1699 range of potential impacts in the financial impact statement.  
1700 Any financial impact statement that a court finds not to be in  
1701 accordance with this section shall be remanded solely to the  
1702 Financial Impact Estimating Conference for redrafting. The  
1703 Financial Impact Estimating Conference shall redraft the  
1704 financial impact statement within 15 days.

1705 4. If the members of the Financial Impact Estimating  
1706 Conference are unable to agree on the statement required by this  
1707 subsection, or if the Supreme Court has rejected the initial  
1708 submission by the Financial Impact Estimating Conference and no  
1709 redraft has been approved by the Supreme Court by 5 p.m. on the  
1710 75th day before the election, the following statement shall  
1711 appear on the ballot pursuant to s. 101.161(1): "The financial  
1712 impact of this measure, if any, cannot be reasonably determined  
1713 at this time."

1714 (c) The financial impact statement must be separately  
1715 contained and be set forth after the ballot summary as required  
1716 in s. 101.161(1).

1717 (d)1. Any financial impact statement that the Supreme  
1718 Court finds not to be in accordance with this subsection shall  
1719 be remanded solely to the Financial Impact Estimating Conference  
1720 for redrafting, provided the court's advisory opinion is  
1721 rendered at least 75 days before the election at which the  
1722 question of ratifying the amendment will be presented. The  
1723 Financial Impact Estimating Conference shall prepare and adopt a  
1724 revised financial impact statement no later than 5 p.m. on the  
1725 15th day after the date of the court's opinion.

1726           2. If, by 5 p.m. on the 75th day before the election, the  
 1727 Supreme Court has not issued an advisory opinion on the initial  
 1728 financial impact statement prepared by the Financial Impact  
 1729 Estimating Conference for an initiative amendment that otherwise  
 1730 meets the legal requirements for ballot placement, the financial  
 1731 impact statement shall be deemed approved for placement on the  
 1732 ballot.

1733           3. In addition to the financial impact statement required  
 1734 by this subsection, the Financial Impact Estimating Conference  
 1735 shall draft an initiative financial information statement. The  
 1736 initiative financial information statement should describe in  
 1737 greater detail than the financial impact statement any projected  
 1738 increase or decrease in revenues or costs that the state or  
 1739 local governments would likely experience if the ballot measure  
 1740 were approved. If appropriate, the initiative financial  
 1741 information statement may include both estimated dollar amounts  
 1742 and a description placing the estimated dollar amounts into  
 1743 context. The initiative financial information statement must  
 1744 include both a summary of not more than 500 words and additional  
 1745 detailed information that includes the assumptions that were  
 1746 made to develop the financial impacts, workpapers, and any other  
 1747 information deemed relevant by the Financial Impact Estimating  
 1748 Conference.

1749           4. The Department of State shall have printed, and shall  
 1750 furnish to each supervisor of elections, a copy of the summary  
 1751 from the initiative financial information statements. The  
 1752 supervisors shall have the summary from the initiative financial

1753 information statements available at each polling place and at  
 1754 the main office of the supervisor of elections upon request.

1755 5. The Secretary of State and the Office of Economic and  
 1756 Demographic Research shall make available on the Internet each  
 1757 initiative financial information statement in its entirety. In  
 1758 addition, each supervisor of elections whose office has a  
 1759 website shall post the summary from each initiative financial  
 1760 information statement on the website. Each supervisor shall  
 1761 include the Internet addresses for the information statements on  
 1762 the Secretary of State's and the Office of Economic and  
 1763 Demographic Research's websites in the publication or mailing  
 1764 required by s. 101.20.

1765 ~~(6)(7)~~ The Department of State may adopt rules in  
 1766 accordance with s. 120.54 to carry out the provisions of  
 1767 subsections (1)-~~(5)(6)~~.

1768 Section 29. Subsection (3) of section 101.001, Florida  
 1769 Statutes, is amended to read:

1770 101.001 Precincts and polling places; boundaries.--

1771 (3) Each supervisor of elections shall maintain a suitable  
 1772 map drawn to a scale no smaller than 3 miles to the inch and  
 1773 clearly delineating all major observable features such as roads,  
 1774 streams, and railway lines and showing the current geographical  
 1775 boundaries of each precinct, representative district, and  
 1776 senatorial district, and other type of district in the county  
 1777 subject to the elections process in this code. On maps of new  
 1778 precincts, a delineation of area shall also be included for each  
 1779 precinct employing the official census county divisions, tracts,  
 1780 block numbering areas, block groups, and blocks used by the

1781 United States Department of Commerce, Bureau of the Census, and  
 1782 adopted by the state for the delineation of representative  
 1783 districts pursuant to s. 10.00001. The supervisor of elections  
 1784 shall notify the Secretary of State in writing within 30 days  
 1785 after ~~of~~ any new reorganization of precincts and shall furnish a  
 1786 copy of the map showing the current geographical boundaries and  
 1787 designation of each new precinct and a delineation of the census  
 1788 blocks included in each precinct.

1789 Section 30. Subsections (1) and (3) of section 101.043,  
 1790 Florida Statutes, are amended to read:

1791 101.043 Identification required at polls.--

1792 (1) The precinct register, as prescribed in s. 98.461,  
 1793 shall be used at the polls ~~in lieu of the registration books~~ for  
 1794 the purpose of identifying the elector at the polls prior to  
 1795 allowing him or her to vote. The clerk or inspector shall  
 1796 require each elector, upon entering the polling place, to  
 1797 present one of the following a current and valid picture  
 1798 identifications:

1799 (a) Florida driver's license.

1800 (b) Florida identification card issued by the Department  
 1801 of Highway Safety and Motor Vehicles.

1802 (c) United States passport.

1803 (d) Employee badge or identification.

1804 (e) Buyer's club identification.

1805 (f) Debit or credit card.

1806 (g) Military identification.

1807 (h) Student identification.

1808 (i) Retirement center identification.

- 1809        (j) Neighborhood association identification.
- 1810        (k) Entertainment identification.
- 1811        (l) Public assistance identification ~~as provided in s.~~
- 1812 ~~97.0535(3)(a).~~

1814        If the picture identification does not contain the signature of  
 1815        the voter, an additional identification that provides the  
 1816        voter's signature shall be required. The elector shall sign his  
 1817        or her name in the space provided on the precinct register or on  
 1818        an electronic device provided for recording the voter's  
 1819        signature. ~~and~~ The clerk or inspector shall compare the  
 1820        signature with that on the identification provided by the  
 1821        elector and enter his or her initials in the space provided on  
 1822        the precinct register or on an electronic device provided for  
 1823        that purpose and allow the elector to vote if the clerk or  
 1824        inspector is satisfied as to the identity of the elector.

1825        (3) If the elector who fails to furnish the required  
 1826        identification is an elector subject to s. 97.0535 ~~a first-time~~  
 1827        ~~voter who registered by mail~~ and has not provided the required  
 1828        identification to a voter registration official ~~the supervisor~~  
 1829        ~~of elections~~ prior to election day, the elector shall be allowed  
 1830        to vote a provisional ballot. The canvassing board shall  
 1831        determine the validity of the ballot pursuant to s. 101.048(2).

1832        Section 31. Subsections (2) and (3) of section 101.045,  
 1833        Florida Statutes, are amended to read:

1834        101.045 Electors must be registered in precinct;  
 1835        provisions for residence or name change.--



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Change of Name of Registered  
Voter

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

- Name
- Address
- Municipality
- County
- Florida, Zip

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

- 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

1892 | elector to vote as provided in this subsection. If the elector's  
 1893 | eligibility to vote cannot be determined, he or she shall be  
 1894 | entitled to vote a provisional ballot, subject to the  
 1895 | requirements and procedures in s. 101.048. Upon receipt of an  
 1896 | affirmation certifying a change in address of legal residence or  
 1897 | name, the supervisor shall as soon as practicable make the  
 1898 | necessary changes in the statewide voter registration system  
 1899 | ~~records of the county~~ to indicate the change in address of legal  
 1900 | residence or name of such elector.

1901 |         (d) Instead of the affirmation contained in paragraph (a)  
 1902 | or paragraph (b), an elector may complete a voter registration  
 1903 | application that indicates the change of name or change of  
 1904 | address of legal residence.

1905 |         ~~(e) A request for an absentee ballot pursuant to s. 101.62~~  
 1906 | ~~which indicates that the elector has had a change of address of~~  
 1907 | ~~legal residence from that in the supervisor's records shall be~~  
 1908 | ~~sufficient as the notice to the supervisor of change of address~~  
 1909 | ~~of legal residence required by this section. Upon receipt of~~  
 1910 | ~~such request for an absentee ballot from an elector who has~~  
 1911 | ~~changed his or her address of legal residence, the supervisor~~  
 1912 | ~~shall provide the elector with the proper ballot for the~~  
 1913 | ~~precinct in which the elector then has his or her legal~~  
 1914 | ~~residence.~~

1915 |         ~~(3) When an elector's name does not appear on the~~  
 1916 | ~~registration books of the election precinct in which the elector~~  
 1917 | ~~is registered, the elector may have his or her name restored if~~  
 1918 | ~~the supervisor is otherwise satisfied that the elector is~~  
 1919 | ~~validly registered, that the elector's name has been erroneously~~

1920 ~~omitted from the books, and that the elector is entitled to have~~  
 1921 ~~his or her name restored. The supervisor, if he or she is~~  
 1922 ~~satisfied as to the elector's previous registration, shall allow~~  
 1923 ~~such person to vote and shall thereafter issue a duplicate~~  
 1924 ~~registration identification card.~~

1925 Section 32. Subsection (1) of section 101.048, Florida  
 1926 Statutes, is amended to read:

1927 101.048 Provisional ballots.--

1928 (1) At all elections, a voter claiming to be properly  
 1929 registered in the state county and eligible to vote at the  
 1930 precinct in the election, but whose eligibility cannot be  
 1931 determined, and other persons specified in the code shall be  
 1932 entitled to vote a provisional ballot. Once voted, the  
 1933 provisional ballot shall be placed in a secrecy envelope and  
 1934 thereafter sealed in a provisional ballot envelope. The  
 1935 provisional ballot shall be deposited in a ballot box. All  
 1936 provisional ballots shall remain sealed in their envelopes for  
 1937 return to the supervisor of elections. The department shall  
 1938 prescribe the form of the provisional ballot envelope.

1939 Section 33. Subsection (1) of section 101.161, Florida  
 1940 Statutes, is amended to read:

1941 101.161 Referenda; ballots.--

1942 (1) Whenever a constitutional amendment or other public  
 1943 measure is submitted to the vote of the people, the substance of  
 1944 such amendment or other public measure shall be printed in clear  
 1945 and unambiguous language on the ballot after the list of  
 1946 candidates, followed by the word "yes" and also by the word  
 1947 "no," and shall be styled in such a manner that a "yes" vote

1948 will indicate approval of the proposal and a "no" vote will  
 1949 indicate rejection. The wording of the substance of the  
 1950 amendment or other public measure and the ballot title to appear  
 1951 on the ballot shall be embodied in the joint resolution,  
 1952 constitutional revision commission proposal, constitutional  
 1953 convention proposal, taxation and budget reform commission  
 1954 proposal, or enabling resolution or ordinance. Except for  
 1955 amendments and ballot language proposed by joint resolution, the  
 1956 substance of the amendment or other public measure shall be an  
 1957 explanatory statement, not exceeding 75 words in length, of the  
 1958 chief purpose of the measure. In addition, for every amendment  
 1959 proposed by initiative, the ballot shall include, following the  
 1960 ballot summary, a separate financial impact statement concerning  
 1961 the measure prepared by the Financial Impact Estimating  
 1962 Conference in accordance with s. 100.371(5)(6). The ballot title  
 1963 shall consist of a caption, not exceeding 15 words in length, by  
 1964 which the measure is commonly referred to or spoken of.

1965 Section 34. Subsection (1) of section 101.5608, Florida  
 1966 Statutes, is amended to read:

1967 101.5608 Voting by electronic or electromechanical method;  
 1968 procedures.--

1969 (1) Each elector desiring to vote shall be identified to  
 1970 the clerk or inspector of the election as a duly qualified  
 1971 elector of such election and shall sign his or her name on the  
 1972 ~~in ink or indelible pencil to an identification blank, signature~~  
 1973 ~~slip, precinct register, or other form or device provided by the~~  
 1974 supervisor ballot stub on which the ballot serial number may be  
 1975 ~~recorded~~. The inspector shall compare the signature with the

1976 signature on the identification provided by the elector. If the  
 1977 inspector is reasonably sure that the person is entitled to  
 1978 vote, the inspector shall provide the person with a ballot.

1979 Section 35. Paragraph (a) of subsection (4) of section  
 1980 101.62, Florida Statutes, is amended to read:

1981 101.62 Request for absentee ballots.--

1982 (4)(a) To each absent qualified elector overseas who has  
 1983 requested an absentee ballot, the supervisor of elections shall,  
 1984 not fewer than 35 days before the first primary election, mail  
 1985 an absentee ballot. Not fewer than 45 days before the second  
 1986 primary and general election, the supervisor of elections shall  
 1987 mail an advance absentee ballot to those persons requesting  
 1988 ballots for such elections. The advance absentee ballot for the  
 1989 second primary shall be the same as the first primary absentee  
 1990 ballot as to the names of candidates, except that for any  
 1991 offices where there are only two candidates, those offices and  
 1992 all political party executive committee offices shall be  
 1993 omitted. Except as provided in ss. 99.063(4) and 100.371(5)(~~6~~),  
 1994 the advance absentee ballot for the general election shall be as  
 1995 specified in s. 101.151, except that in the case of candidates  
 1996 of political parties where nominations were not made in the  
 1997 first primary, the names of the candidates placing first and  
 1998 second in the first primary election shall be printed on the  
 1999 advance absentee ballot. The advance absentee ballot or advance  
 2000 absentee ballot information booklet shall be of a different  
 2001 color for each election and also a different color from the  
 2002 absentee ballots for the first primary, second primary, and  
 2003 general election. The supervisor shall mail an advance absentee

2004 ballot for the second primary and general election to each  
 2005 qualified absent elector for whom a request is received until  
 2006 the absentee ballots are printed. The supervisor shall enclose  
 2007 with the advance second primary absentee ballot and advance  
 2008 general election absentee ballot an explanation stating that the  
 2009 absentee ballot for the election will be mailed as soon as it is  
 2010 printed; and, if both the advance absentee ballot and the  
 2011 absentee ballot for the election are returned in time to be  
 2012 counted, only the absentee ballot will be counted. The  
 2013 Department of State may prescribe by rule the requirements for  
 2014 preparing and mailing absentee ballots to absent qualified  
 2015 electors overseas.

2016 Section 36. Section 101.663, Florida Statutes, is amended  
 2017 to read:

2018 101.663 Electors; change of residence to another state.--

2019 ~~(1) An elector who changes his or her residence to another~~  
 2020 ~~county in Florida from the county in Florida in which he or she~~  
 2021 ~~is registered as an elector after the books in the county to~~  
 2022 ~~which the elector has changed his or her residence are closed~~  
 2023 ~~for any general, primary, or special election shall be permitted~~  
 2024 ~~to vote absentee in the county of his or her former residence in~~  
 2025 ~~that election for President and Vice President, United States~~  
 2026 ~~Senator, statewide offices, and statewide issues. Such person~~  
 2027 ~~shall not be permitted to vote in the county of the person's~~  
 2028 ~~former residence after the general election.~~

2029 (2) An elector registered in this state who moves his or  
 2030 her permanent residence to another state and who is prohibited  
 2031 by the laws of that state from voting for the offices of

2032 President and Vice President of the United States shall be  
 2033 permitted to vote absentee in the county of his or her former  
 2034 residence for those offices.

2035 Section 37. Subsection (1) of section 101.6921, Florida  
 2036 Statutes, is amended to read:

2037 101.6921 Delivery of special absentee ballot to certain  
 2038 first-time voters.--

2039 (1) The provisions of this section apply to voters who are  
 2040 subject to the provisions of s. 97.0535 ~~registered to vote by~~  
 2041 ~~mail, who have not previously voted in the county,~~ and who have  
 2042 not provided the identification or certification required by s.  
 2043 97.0535 by the time the absentee ballot is mailed.

2044 Section 38. Section 101.6923, Florida Statutes, is amended  
 2045 to read:

2046 101.6923 Special absentee ballot instructions for certain  
 2047 first-time voters.--

2048 (1) The provisions of this section apply to voters who are  
 2049 subject to the provisions of s. 97.0535 ~~registered to vote by~~  
 2050 ~~mail, who have not previously voted in the county,~~ and who have  
 2051 not provided the identification or information required by s.  
 2052 97.0535 by the time the absentee ballot is mailed.

2053 (2) A voter covered by this section shall be provided with  
 2054 ~~the following~~ printed instructions with his or her absentee  
 2055 ballot in substantially the following form:

2056  
 2057 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR  
 2058 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE  
 2059 YOUR BALLOT NOT TO COUNT.

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

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

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

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

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

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

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

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

2087           a. Identification which must include your name and  
 2088 photograph: ~~current and valid Florida driver's license; Florida~~  
 2089 ~~identification card issued by the Department of Highway Safety~~  
 2090 ~~and Motor Vehicles;~~ United States passport; employee badge or  
 2091 identification; buyer's club identification card; debit or  
 2092 credit card; military identification; student identification;  
 2093 retirement center identification; neighborhood association  
 2094 identification; entertainment identification; or public  
 2095 assistance identification; or

2096           b. Identification which shows your name and current  
 2097 residence address: current utility bill, bank statement,  
 2098 government check, paycheck, or government document (excluding  
 2099 voter identification card).

2100           7. The identification requirements of Item 6. do not apply  
 2101 if you meet one of the following requirements:

2102           a. You are 65 years of age or older.

2103           b. You have a temporary or permanent physical disability.

2104           c. You are a member of a uniformed service on active duty  
 2105 who, by reason of such active duty, will be absent from the  
 2106 county on election day.

2107           d. You are a member of the Merchant Marine who, by reason  
 2108 of service in the Merchant Marine, will be absent from the  
 2109 county on election day.

2110           e. You are the spouse or dependent of a member referred to  
 2111 in paragraph c. or paragraph d. who, by reason of the active  
 2112 duty or service of the member, will be absent from the county on  
 2113 election day.

2114           f. You are currently residing outside the United States.

2115 8. Place the envelope bearing the Voter's Certificate into  
 2116 the mailing envelope addressed to the supervisor. Insert a copy  
 2117 of your identification in the mailing envelope. DO NOT PUT YOUR  
 2118 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
 2119 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
 2120 BALLOT WILL NOT COUNT.

2121 9. Mail, deliver, or have delivered the completed mailing  
 2122 envelope. Be sure there is sufficient postage if mailed.

2123 10. FELONY NOTICE. It is a felony under Florida law to  
 2124 accept any gift, payment, or gratuity in exchange for your vote  
 2125 for a candidate. It is also a felony under Florida law to vote  
 2126 in an election using a false identity or false address, or under  
 2127 any other circumstances making your ballot false or fraudulent.

2128 Section 39. Subsection (3) of section 102.012, Florida  
 2129 Statutes, is amended to read:

2130 102.012 Inspectors and clerks to conduct elections.--

2131 (3) The supervisor shall furnish inspectors of election  
 2132 for each precinct with the list of registered electors for that  
 2133 precinct ~~registration books divided alphabetically as will best~~  
 2134 ~~facilitate the holding of an election.~~ The supervisor shall also  
 2135 furnish to the inspectors of election at the polling place at  
 2136 each precinct in the supervisor's county a sufficient number of  
 2137 forms and blanks for use on election day.

2138 Section 40. Section 102.151, Florida Statutes, is amended  
 2139 to read:

2140 102.151 County canvassing board to issue certificates;  
 2141 supervisor to give notice to Department of State.--

2142           (1) The county canvassing board shall make and sign  
 2143 duplicate certificates containing the total number of votes cast  
 2144 for each person nominated or elected, the names of persons for  
 2145 whom such votes were cast, and the number of votes cast for each  
 2146 candidate or nominee. One of such certificates which relates to  
 2147 offices for which the candidates or nominees have been voted for  
 2148 in more than one county shall be immediately transmitted to the  
 2149 Department of State, and the second copy filed in the  
 2150 supervisor's office. The supervisor shall transmit to the  
 2151 Department of State, immediately after the county canvassing  
 2152 board has canvassed the returns of the election, a list  
 2153 containing the names of all county and district officers  
 2154 nominated or elected, the office for which each was nominated or  
 2155 elected, and the mailing address of each.

2156           (2) The county canvassing board shall record and transmit  
 2157 to the Department of State by electronically readable means the  
 2158 total number of votes cast for each person nominated or elected,  
 2159 the names of persons for whom such votes were cast, the number  
 2160 of votes cast for each candidate or nominee, and the number of  
 2161 people not voting for any candidate. This information shall give  
 2162 the total numbers by precinct and specify whether votes were  
 2163 cast at the poll, by absentee ballot, or by early voting. In the  
 2164 event that less than 10 electors are recorded to have voted for  
 2165 any person nominated or elected by any method of voting in a  
 2166 precinct, the numbers of votes for each candidate for that  
 2167 precinct shall be combined with an adjoining precinct to  
 2168 preserve the secrecy of the ballot.

2169 Section 41. Subsections (1), (2), and (3) of section  
 2170 104.013, Florida Statutes, are amended to read:

2171 104.013 Unauthorized use, possession, or destruction of  
 2172 voter information ~~registration identification~~ card.--

2173 (1) It is unlawful for any person knowingly to have in his  
 2174 or her possession any blank, forged, stolen, fictitious,  
 2175 counterfeit, or unlawfully issued voter information ~~registration~~  
 2176 ~~identification~~ card unless possession by such person has been  
 2177 duly authorized by the supervisor.

2178 (2) It is unlawful for any person to barter, trade, sell,  
 2179 or give away a voter information ~~registration identification~~  
 2180 card unless said person has been duly authorized to issue a  
 2181 voter information ~~registration identification~~ card.

2182 (3) It is unlawful for any person willfully to destroy or  
 2183 deface the information ~~registration identification~~ card of a  
 2184 duly registered voter.

2185 Section 42. Subsection (5) is added to section 104.051,  
 2186 Florida Statutes, to read:

2187 104.051 Violations; neglect of duty; corrupt practices.--

2188 (5)(a) Any supervisor or member of a county canvassing  
 2189 board who willfully fails to follow a binding directive issued  
 2190 pursuant to s. 97.012 shall be subject to a civil penalty of up  
 2191 to \$1,000 per violation, which fine shall be paid out of the  
 2192 personal funds of the supervisor or member of the county  
 2193 canvassing board. Only the Secretary of State may file a  
 2194 complaint to the Florida Elections Commission alleging willful  
 2195 failure to follow a binding directive.

2196 (b) A member of a canvassing board shall not be liable for

2197 a civil penalty under this section if the member was not on the  
 2198 prevailing side of a vote of the canvassing board that is  
 2199 contrary to a binding directive.

2200 (c) The Senate in its discretion may review and modify any  
 2201 civil penalty imposed by the Florida Elections Commission for  
 2202 failure to follow a binding directive during the next regular  
 2203 legislative session occurring within 1 year after the date that  
 2204 the penalty was imposed.

2205 Section 43. Paragraph (d) is added to subsection (15) of  
 2206 section 120.52, Florida Statutes, to read:

2207 120.52 Definitions.--As used in this act:

2208 (15) "Rule" means each agency statement of general  
 2209 applicability that implements, interprets, or prescribes law or  
 2210 policy or describes the procedure or practice requirements of an  
 2211 agency and includes any form which imposes any requirement or  
 2212 solicits any information not specifically required by statute or  
 2213 by an existing rule. The term also includes the amendment or  
 2214 repeal of a rule. The term does not include:

2215 (d) Advisory opinions issued by the Department of State  
 2216 pursuant to s. 106.23(2) and directives issued by the Secretary  
 2217 of State pursuant to s. 97.012(1).

2218 Section 44. Section 196.141, Florida Statutes, is amended  
 2219 to read:

2220 196.141 Homestead exemptions; duty of property  
 2221 appraiser.--

2222 ~~(1)~~ The property appraiser shall examine each claim for  
 2223 exemption filed with or referred to him or her and shall allow  
 2224 the same, if found to be in accordance with law, by marking the

2225 same approved and by making the proper deductions on the tax  
 2226 books.

2227 ~~(2) The property appraiser shall examine each referral, of~~  
 2228 ~~a person registering to vote at an address different from the~~  
 2229 ~~one where the person has filed for a homestead exemption, which~~  
 2230 ~~has been provided by a supervisor of elections pursuant to s.~~  
 2231 ~~98.015. The property appraiser shall initiate procedures to~~  
 2232 ~~terminate a person's homestead exemption and assess back taxes,~~  
 2233 ~~if appropriate, if the person claiming such exemption is not~~  
 2234 ~~entitled to the exemption under law.~~

2235 Section 45. Sections 98.055, 98.095, 98.0977, 98.0979,  
 2236 98.101, 98.181, 98.231, 98.451, 98.481, and 101.635, Florida  
 2237 Statutes, are repealed.

2238 Section 46. Except as otherwise provided herein, this act  
 2239 shall take effect January 1, 2006.