

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

1 A bill to be entitled

2 An act relating to elections; amending s. 97.012, F.S.;

3 revising the duties of the Secretary of State and the

4 Department of State relating to election laws; providing

5 for rulemaking; authorizing the Secretary of State to

6 delegate voter registration and records maintenance duties

7 to voter registration officials; providing that the

8 secretary has a duty to bring legal action to enforce the

9 performance of county supervisors of elections or other

10 officials performing duties relating to the Florida

11 Election Code; providing a prerequisite to bringing such

12 an action; providing venue; requiring that courts give

13 priority to such an action; providing penalties; providing

14 for the adoption of rules; amending s. 97.021, F.S.;

15 revising and providing definitions; amending s. 97.026,

16 F.S.; providing rulemaking authority to make forms

17 available in alternative formats and via the Internet;

18 correcting a cross-reference; amending s. 97.051, F.S.;

19 revising the oath taken by a person registering to vote;

20 amending s. 97.052, F.S.; requiring that the uniform

21 statewide voter registration application be accepted for

22 replacement of a voter information card and signature

23 update; revising the information the uniform statewide

24 voter registration application must contain and must

25 elicit from the applicant; providing for the failure of a

26 voter registration applicant to answer questions on the

27 voter registration application; amending s. 97.053, F.S.;

28 revising the criteria for completeness of a voter

Page 1 of 90

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1589-06-er

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

29 registration application; specifying the possible valid  
30 recipients of a mailed voter registration application;  
31 revising the information needed on a voter registration  
32 application to establish an applicant's eligibility;  
33 providing for verification of authenticity of certain  
34 voter registration application information; providing for  
35 a provisional ballot to be provided to an applicant if the  
36 application is not verified by a certain date; requiring a  
37 voter registration official to enter all voter  
38 registration applications into the voter registration  
39 system within a certain time period and forward such  
40 applications to the supervisor of elections; amending s.  
41 97.0535, F.S.; providing for applicants who have no valid  
42 Florida driver's license, identification card, or social  
43 security number; amending s. 97.055, F.S.; specifying the  
44 information updates permitted for purposes of an upcoming  
45 election once registration books are closed; amending s.  
46 97.057, F.S.; revising the voter registration procedure by  
47 the Department of Highway Safety and Motor Vehicles;  
48 amending s. 97.058, F.S.; revising duties of voter  
49 registration agencies; amending s. 97.061, F.S.; revising  
50 special registration procedures for electors requiring  
51 assistance; amending s. 97.071, F.S.; redesignating the  
52 registration identification card as the voter information  
53 card; revising the required contents of the card; deleting  
54 provisions relating to the second primary; amending s.  
55 97.073, F.S.; revising the procedure by which an applicant  
56 must supply missing information on the voter registration

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

57 application; revising provisions relating to cancellation  
58 of previous registration; amending s. 97.1031, F.S.;  
59 revising provisions relating to notice of change of  
60 residence, name, or party affiliation; amending s. 97.105,  
61 F.S., relating to establishment of the permanent single  
62 registration system, to conform; amending s. 98.015, F.S.;  
63 revising the duties of supervisors of elections; creating  
64 s. 98.035, F.S.; establishing a statewide voter  
65 registration system; requiring the Secretary of State to  
66 be responsible for the implementation, operation, and  
67 maintenance of the system; prohibiting the department from  
68 contracting with any other entity to operate the system;  
69 authorizing the department to adopt rules relating to the  
70 access, use, and operation of the system; amending s.  
71 98.045, F.S.; revising provisions relating to  
72 administration of voter registration; providing for the  
73 responsibility of such administration to be undertaken by  
74 the department in lieu of supervisors of elections;  
75 specifying ineligibility criteria; revising provisions  
76 relating to removal of registered voters; revising  
77 provisions relating to public records access and  
78 retention; providing for the establishment of a statewide  
79 electronic database of valid residential street addresses;  
80 authorizing the department to adopt rules relating to  
81 certain voter registration system forms; amending s.  
82 98.065, F.S.; revising provisions relating to registration  
83 records maintenance; providing for change of address;  
84 providing limitations on notice and renewal; requiring

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

85 supervisors of elections to certify to the department  
86 certain list maintenance activities; providing penalties;  
87 amending s. 98.075, F.S.; providing for registration  
88 records maintenance by the department; providing  
89 procedures in cases involving duplicate registration,  
90 deceased persons, adjudication of mental incapacity,  
91 felony conviction, and other bases for ineligibility;  
92 providing procedures for removal; requiring supervisors of  
93 elections to certify to the department certain  
94 registration records maintenance activities; creating s.  
95 98.0755, F.S.; providing for appeal of a determination of  
96 ineligibility; providing for jurisdiction, burden of  
97 proof, and trial costs; amending s. 98.077, F.S.; revising  
98 provisions relating to updating a voter's signature;  
99 amending s. 98.081, F.S., relating to removal of names  
100 from the statewide voter registration system, to conform;  
101 deleting provisions relating to the second primary;  
102 amending s. 98.093, F.S.; revising the duty of officials  
103 to furnish lists of deceased persons, persons adjudicated  
104 mentally incapacitated, and persons convicted of a felony;  
105 creating 98.0981, F.S.; requiring the department to  
106 furnish certain voter information to the Legislature;  
107 amending s. 98.212, F.S., relating to furnishing of  
108 statistical and other information, to conform; amending s.  
109 98.461, F.S.; authorizing use of an electronic database as  
110 a precinct register and use of an electronic device for  
111 voter signatures and witness initials; amending s.  
112 100.371, F.S.; revising the procedure by which

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

113 constitutional amendments proposed by initiative shall be  
114 placed on the ballot; amending s. 101.001, F.S.; revising  
115 requirements of supervisors relating to precincts and  
116 precinct boundaries; providing exceptions; amending s.  
117 101.043, F.S.; revising requirements and procedures  
118 relating to identification required at polls; amending s.  
119 101.045, F.S., relating to provisions for residence or  
120 name change at the polls, to conform; amending s. 101.048,  
121 F.S., relating to provisional ballots, to conform;  
122 amending s. 101.161, F.S.; conforming a cross-reference;  
123 amending s. 101.56062, F.S., relating to standards for  
124 accessible voting systems, to conform; amending s.  
125 101.5608, F.S.; revising a provision relating to an  
126 elector's signature provided with identification prior to  
127 voting; creating s. 101.573, F.S.; requiring supervisors  
128 of elections to file precinct-level election results;  
129 requiring the Department of State to adopt rules; amending  
130 s. 101.62, F.S.; conforming a cross-reference; amending  
131 ss. 101.64 and 101.657, F.S.; requiring that the  
132 supervisor of elections indicate on each absentee or early  
133 voted ballot the precinct of the voter; amending s.  
134 101.663, F.S., relating to change of residence, to  
135 conform; amending s. 101.6921, F.S., relating to delivery  
136 of special absentee ballots to certain first-time voters,  
137 to conform; amending s. 101.6923, F.S., relating to  
138 special absentee ballot instructions for certain first-  
139 time voters, to conform; amending s. 102.012, F.S.,  
140 relating to conduct of elections by inspectors and clerks,

ENROLLED

HB 1589, Engrossed 3

2005 Legislature

141 | to conform; amending s. 104.013, F.S., relating to  
 142 | unauthorized use, possession, or destruction of voter  
 143 | information cards, to conform; amending s. 106.0705, F.S.;  
 144 | providing for the timely filing of certain reports;  
 145 | amending s. 106.08; providing for contribution limits to  
 146 | statewide candidates; amending s. 106.33, F.S.; increasing  
 147 | certain contribution limits; amending s. 106.34, F.S.;  
 148 | revising provisions relating to certain candidate  
 149 | expenditure limits; providing a definition; amending s.  
 150 | 196.141, F.S., relating to homestead exemptions and duties  
 151 | of property appraisers, to conform; amending s. 120.54,  
 152 | F.S.; including certain rules pertaining to the Florida  
 153 | Election Code within the definition of emergency rules  
 154 | governing public health, safety, or welfare; amending s.  
 155 | 99.061, F.S.; providing the method of qualifying for  
 156 | nomination to the office of the state attorney or public  
 157 | defender; amending s. 322.142, F.S.; providing for  
 158 | disclosure of certain confidential driver's license  
 159 | information to the department under certain circumstances;  
 160 | making it a third-degree felony to participate in certain  
 161 | exchanges associated with voting by absentee ballot;  
 162 | repealing s. 104.047(1), F.S., relating to criminal  
 163 | penalties for participation in certain exchanges  
 164 | associated with voting by absentee ballot; repealing s.  
 165 | 98.055, F.S., relating to registration list maintenance  
 166 | forms; repealing s. 98.095, F.S., relating to county  
 167 | registers open to inspection and copies; repealing s.  
 168 | 98.0977, F.S., relating to the statewide voter

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

169 registration database and its operation and maintenance;  
 170 repealing s. 98.0979, F.S., relating to inspection of the  
 171 statewide voter registration; repealing s. 98.101, F.S.,  
 172 relating to specifications for permanent registration  
 173 binders, files, and forms; repealing s. 98.181, F.S.,  
 174 relating to duty of the supervisor of elections to make up  
 175 indexes or records; repealing s. 98.231, F.S., relating to  
 176 duty of the supervisor of elections to furnish the  
 177 department the number of registered electors; repealing s.  
 178 98.451, F.S., relating to automation in processing  
 179 registration data; repealing s. 98.481, F.S., relating to  
 180 challenges to electors; repealing s. 101.635, F.S.,  
 181 relating to distribution of blocks of printed ballots;  
 182 providing effective dates.

183  
 184 Be It Enacted by the Legislature of the State of Florida:

185  
 186 Section 1. Subsections (1), (2), and (11) of section  
 187 97.012, Florida Statutes, are amended, and subsection (14) is  
 188 added to that section, to read:

189 97.012 Secretary of State as chief election officer.--The  
 190 Secretary of State is the chief election officer of the state,  
 191 and it is his or her responsibility to:

192 (1) Obtain and maintain uniformity in the ~~application,~~  
 193 ~~operation, and~~ interpretation and implementation of the election  
 194 laws. In order to obtain and maintain uniformity in the  
 195 interpretation and implementation of the elections laws, the  
 196 Department of State may, pursuant to ss. 120.536(1) and 120.54,

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

197 adopt by rule uniform standards for the proper and equitable  
 198 interpretation and implementation of the requirements of  
 199 chapters 97 through 102 and 105 of the Election Code.

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

204 (11) Create and administer ~~maintain~~ a statewide voter  
 205 registration system as required by the Help America Vote Act of  
 206 2002 database. The secretary may delegate voter registration  
 207 duties and records maintenance activities to voter registration  
 208 officials. Any responsibilities delegated by the secretary shall  
 209 be performed in accordance with state and federal law.

210 (14) Bring and maintain such actions at law or in equity  
 211 by mandamus or injunction to enforce the performance of any  
 212 duties of a county supervisor of elections or any official  
 213 performing duties with respect to chapters 97 through 102 and  
 214 105 or to enforce compliance with a rule of the Department of  
 215 State adopted to interpret or implement any of those chapters.

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

218 (b) When the secretary files an action under this section  
 219 and not more than 60 days remain before an election as defined  
 220 in s. 97.021, or during the time period after the election and  
 221 before certification of the election pursuant to s. 102.112 or  
 222 s. 102.121, the court, including an appellate court, shall set  
 223 an immediate hearing, giving the case priority over other  
 224 pending cases.



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

225 (c) Prior to filing an action to enforce performance of  
 226 the duties of the supervisor of elections or any official  
 227 described in this subsection, the secretary or his or her  
 228 designee first must confer, or must make a good-faith attempt to  
 229 confer, with the supervisor of elections or the official to  
 230 ensure compliance with chapters 97 through 102 and 105 or the  
 231 rules of the Department of State adopted under any of those  
 232 chapters.

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

237 97.021 Definitions.--For the purposes of this code, except  
 238 where the context clearly indicates otherwise, the term:

239 (13) "Lists of registered electors" means names and  
 240 associated information ~~copies of printed lists~~ of registered  
 241 electors maintained by the department in the statewide voter  
 242 registration system or generated or derived from the statewide  
 243 voter registration system. Lists may be produced in printed or  
 244 electronic format, ~~computer tapes or disks, or any other device~~  
 245 ~~used by the supervisor of elections to maintain voter records.~~

246 (38) "Voter registration official" means any supervisor of  
 247 elections or individual authorized by the Secretary of State to  
 248 accept voter registration applications and execute updates to  
 249 the statewide voter registration system.

250 Section 3. Section 97.026, Florida Statutes, is amended to  
 251 read:

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

252           97.026 Forms to be available in alternative formats and  
 253 via the Internet.--It is the intent of the Legislature that all  
 254 forms required to be used in chapters 97-106 shall be made  
 255 available upon request, in alternative formats. Such forms shall  
 256 include absentee ballots as alternative formats for such ballots  
 257 become available and the Division of Elections is able to  
 258 certify systems that provide them. The department may, pursuant  
 259 to ss. 120.536(1) and 120.54, adopt rules to administer this  
 260 section. Whenever possible, such forms, with the exception of  
 261 absentee ballots, shall be made available by the Department of  
 262 State via the Internet. Sections that contain such forms  
 263 include, but are not limited to, ss. 97.051, 97.052, 97.053,  
 264 97.057, 97.058, 97.0583, 97.071, 97.073, 97.1031, ~~98.055,~~  
 265 98.075, 99.021, 100.361, 100.371, 101.045, 101.171, 101.20,  
 266 101.6103, 101.62, 101.64, 101.65, 101.657, 105.031, 106.023, and  
 267 106.087.

268           Section 4. Section 97.051, Florida Statutes, is amended to  
 269 read:

270           97.051 Oath upon registering.--A person registering to  
 271 vote must subscribe to the following oath: "I do solemnly swear  
 272 (or affirm) that I will protect and defend the Constitution of  
 273 the United States and the Constitution of the State of Florida,  
 274 that I am qualified to register as an elector under the  
 275 Constitution and laws of the State of Florida, and that all  
 276 information provided in this application is true ~~I am a citizen~~  
 277 ~~of the United States and a legal resident of Florida."~~

278           Section 5. Section 97.052, Florida Statutes, is amended to  
 279 read:

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

280 97.052 Uniform statewide voter registration application.--

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

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

285 1. Initial registration.

286 2. Change of address.

287 3. Change of party affiliation.

288 4. Change of name.

289 5. Replacement of a voter information registration  
 290 identification card.

291 6. Signature update.

292 (b) The department is responsible for printing the uniform  
 293 statewide voter registration application and the voter  
 294 registration application form prescribed by the ~~Federal~~ Election  
 295 Assistance Commission pursuant to federal law ~~the National Voter~~  
 296 ~~Registration Act of 1993~~. The applications and forms must be  
 297 distributed, upon request, to the following:

298 1. Individuals seeking to register to vote or update a  
 299 voter registration record.

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

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

304 4. Voter registration agencies.

305 5. Armed forces recruitment offices.

306 6. Qualifying educational institutions.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

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

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

311 b. By distributing the applications and forms at other  
 312 locations designated by each supervisor.

313 c. By mailing the applications and forms to applicants  
 314 upon the request of the applicant.

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

319 (2) The uniform statewide voter registration application  
 320 must be designed to elicit the following information from the  
 321 applicant:

322 (a) Last, first, and middle ~~Full~~ name, including any  
 323 suffix.

324 (b) Date of birth.

325 (c) Address of legal residence.

326 (d) Mailing address, if different.

327 (e) County of legal residence.

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

330 (f)(g) Race or ethnicity that best describes the  
 331 applicant:

332 1. American Indian or Alaskan Native.

333 2. Asian or Pacific Islander.

334 3. Black, not Hispanic.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

- 335 | 4. White, not Hispanic.
- 336 | 5. Hispanic.
- 337 | (g)~~(h)~~ State or country of birth.
- 338 | (h)~~(i)~~ Sex.
- 339 | (i)~~(j)~~ Party affiliation.
- 340 | (j)~~(k)~~ Whether the applicant needs assistance in voting.
- 341 | (k)~~(l)~~ Name and address where last registered.
- 342 | (l)~~(m)~~ Last four digits of the applicant's social security
- 343 | number.
- 344 | (m)~~(n)~~ Florida driver's license number or the
- 345 | identification number from a Florida identification card issued
- 346 | under s. 322.051.
- 347 | (n) An indication, if applicable, that the applicant has
- 348 | not been issued a Florida driver's license, a Florida
- 349 | identification card, or a social security number.
- 350 | (o) Telephone number (optional).
- 351 | (p) Signature of applicant under penalty for false
- 352 | swearing pursuant to s. 104.011, by which the person subscribes
- 353 | to the oath required by s. 3, Art. VI of the State Constitution
- 354 | and s. 97.051, and swears or affirms that the information
- 355 | contained in the registration application is true.
- 356 | (q) Whether the application is being used for initial
- 357 | registration, to update a voter registration record, or to
- 358 | request a replacement voter information ~~registration~~
- 359 | ~~identification~~ card.
- 360 | (r) Whether the applicant is a citizen of the United
- 361 | States by asking the question "Are you a citizen of the United
- 362 | States of America?" and providing boxes for the applicant to

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

363 check to indicate whether the applicant is or is not a citizen  
 364 of the United States.

365 (s) Whether ~~That~~ the applicant has ~~not~~ been convicted of a  
 366 felony, ~~and~~ ~~or~~, if convicted, has had his or her civil rights  
 367 restored by including the statement "I affirm I am not a  
 368 convicted felon or, if I am, my rights relating to voting have  
 369 been restored." and providing a box for the applicant to check  
 370 to affirm the statement.

371 (t) Whether ~~That~~ the applicant has ~~not~~ been adjudicated  
 372 mentally incapacitated with respect to voting or, if so  
 373 adjudicated, has had his or her right to vote restored by  
 374 including the statement "I affirm I have not been adjudicated  
 375 mentally incapacitated with respect to voting or, if I have, my  
 376 competency has been restored." and providing a box for the  
 377 applicant to check to affirm the statement.

378  
 379 The registration application form ~~form~~ must be in plain language and  
 380 designed so that convicted felons whose civil rights have been  
 381 restored and persons who have been adjudicated mentally  
 382 incapacitated and have had their voting rights restored are not  
 383 required to reveal their prior conviction or adjudication.

384 (3) The uniform statewide voter registration application  
 385 must also contain:

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

388 (b) A statement specifying each eligibility requirement  
 389 under s. 97.041.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

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

392 (d) A statement that, if an applicant declines to register  
 393 to vote, the fact that the applicant has declined to register  
 394 will remain confidential and may be used only for voter  
 395 registration purposes.

396 (e) A statement that informs the applicant who chooses to  
 397 register to vote or update a voter registration record that the  
 398 office at which the applicant submits a voter registration  
 399 application or updates a voter registration record will remain  
 400 confidential and may be used only for voter registration  
 401 purposes.

402 ~~(f) A statement that informs the applicant that any person~~  
 403 ~~who has been granted a homestead exemption in this state, and~~  
 404 ~~who registers to vote in any precinct other than the one in~~  
 405 ~~which the property for which the homestead exemption has been~~  
 406 ~~granted, shall have that information forwarded to the property~~  
 407 ~~appraiser where such property is located, which may result in~~  
 408 ~~the person's homestead exemption being terminated and the person~~  
 409 ~~being subject to assessment of back taxes under s. 193.092,~~  
 410 ~~unless the homestead granted the exemption is being maintained~~  
 411 ~~as the permanent residence of a legal or natural dependent of~~  
 412 ~~the owner and the owner resides elsewhere.~~

413 (f)(g) A statement informing an the applicant who has not  
 414 been issued a Florida driver's license, a Florida identification  
 415 card, or a social security number that if the application form  
 416 is submitted by mail and the applicant is registering for the

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

417 first time in this state, the applicant will be required to  
418 provide identification prior to voting the first time.

419 (4) A supervisor may produce a voter registration  
420 application that has the supervisor's direct mailing address if  
421 the department has reviewed the application and determined that  
422 it is substantially the same as the uniform statewide voter  
423 registration application.

424 (5) The voter registration application form prescribed by  
425 the ~~Federal~~ Election Assistance Commission pursuant to federal  
426 law ~~the National Voter Registration Act of 1993~~ or the federal  
427 postcard application must be accepted as an application for  
428 registration in this state if the completed application or  
429 postcard application contains the information required by the  
430 constitution and laws of this state.

431 (6) If a voter registration applicant fails to provide any  
432 of the required information on the voter registration  
433 application form, the supervisor shall notify the applicant of  
434 the failure by mail within 5 business days after the supervisor  
435 has the information available in the voter registration system.  
436 The applicant shall have an opportunity to complete the  
437 application form to vote in the next election up until the book  
438 closing for that next election.

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

441 97.053 Acceptance of voter registration applications.--

442 (1) Voter registration applications, changes in  
443 registration, and requests for a replacement voter information  
444 ~~registration identification~~ card must be accepted in the office



## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

445 of any supervisor, the division, a driver license office, a  
446 voter registration agency, or an armed forces recruitment office  
447 when hand delivered by the applicant or a third party during the  
448 hours that office is open or when mailed.

449 (2) A ~~completed~~ voter registration application is complete  
450 and that contains the information necessary to establish an  
451 applicant's eligibility pursuant to s. 97.041 becomes the  
452 official voter registration record of that applicant when all  
453 information necessary to establish the applicant's eligibility  
454 pursuant to s. 97.041 is received by a voter registration  
455 official and verified pursuant to subsection (6) the appropriate  
456 supervisor. If the applicant fails to complete his or her voter  
457 registration application prior to the date of book closing for  
458 an election, then such applicant shall not be eligible to vote  
459 in that election.

460 (3) The registration date for a valid initial voter  
461 registration application that has been hand delivered is the  
462 date that the application is ~~when~~ received by a driver license  
463 office, a voter registration agency, an armed forces recruitment  
464 office, the division, or the office of any supervisor in the  
465 state.

466 (4) The registration date for a valid initial voter  
467 registration application that has been mailed to a driver  
468 license office, a voter registration agency, an armed forces  
469 recruitment office, the division, or the office of any  
470 supervisor in the state and bears a clear postmark is the date  
471 of that ~~the~~ postmark. If an initial voter registration  
472 application that has been mailed does not bear a postmark or if

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

473 the postmark is unclear, the registration date is the date the  
 474 application ~~registration~~ is received by any supervisor or the  
 475 division, unless it is received within 5 days after the closing  
 476 of the books for an election, excluding Saturdays, Sundays, and  
 477 legal holidays, in which case the registration date is the book-  
 478 closing date.

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

- 482 1. The applicant's name.
- 483 2. The applicant's legal residence address.
- 484 3. The applicant's date of birth.
- 485 4. A mark in the checkbox affirming ~~An indication~~ that the  
 486 applicant is a citizen of the United States.

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

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

493  
 494 In case an applicant has not been issued a current and valid  
 495 Florida driver's license, Florida identification card, or social  
 496 security number, the applicant shall affirm this fact in the  
 497 manner prescribed in the uniform statewide voter registration  
 498 application.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

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

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

506           8. The original signature or a digital signature  
 507 transmitted by the Department of Highway Safety and Motor  
 508 Vehicles of the applicant swearing or affirming under the  
 509 penalty for false swearing pursuant to s. 104.011 that the  
 510 information contained in the registration application is true  
 511 and subscribing to the oath required by s. 3, Art. VI of the  
 512 State Constitution and s. 97.051.

513           (b) An applicant who fails to designate party affiliation  
 514 must be registered without party affiliation. The supervisor  
 515 must notify the voter by mail that the voter has been registered  
 516 without party affiliation and that the voter may change party  
 517 affiliation as provided in s. 97.1031.

518           (6) A voter registration application may be accepted as  
 519 valid only after the department has verified the authenticity or  
 520 nonexistence of the driver's license number, the Florida  
 521 identification card number, or the last four digits of the  
 522 social security number provided by the applicant. If a completed  
 523 voter registration application has been received by the book-  
 524 closing deadline but the driver's license number, the Florida  
 525 identification card number, or the last four digits of the  
 526 social security number provided by the applicant cannot be

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

527 verified prior to the applicant presenting himself or herself to  
 528 vote, the applicant shall be provided a provisional ballot. The  
 529 provisional ballot shall be counted only if the application is  
 530 verified by the end of the canvassing period or if the applicant  
 531 presents evidence to the supervisor of elections sufficient to  
 532 verify the authenticity of the driver's license number, Florida  
 533 identification card number, or last four digits of the social  
 534 security number provided on the application no later than 5 p.m.  
 535 of the third day following the election.

536 (7) All voter registration applications received by a  
 537 voter registration official shall be entered into the statewide  
 538 voter registration system within 15 days after receipt. Once  
 539 entered, the application shall be immediately forwarded to the  
 540 appropriate supervisor of elections.

541 Section 7. Subsections (1), (2), and (3) of section  
 542 97.0535, Florida Statutes, are amended to read:

543 97.0535 Special requirements for certain applicants.--

544 (1) Each applicant who registers by mail and who has never  
 545 previously voted in the state and who the department has  
 546 verified has not been issued a current and valid Florida  
 547 driver's license, Florida identification card, or social  
 548 security number ~~county~~ shall be required to provide a copy of a  
 549 current and valid identification, as provided in subsection (3),  
 550 or indicate that he or she is exempt from the requirements prior  
 551 to voting. Such ~~The applicant may provide the~~ identification or  
 552 indication may be provided at the time of registering, or at any  
 553 time prior to voting for the first time in the state ~~county~~. If  
 554 the voter registration application clearly provides information

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

555 | from which a voter registration official ~~the supervisor~~ can  
 556 | determine that the applicant meets at least one of the  
 557 | exemptions in subsection (4), the voter registration official  
 558 | ~~supervisor~~ shall make the notation on the registration records  
 559 | of the statewide voter registration system and the applicant  
 560 | shall not be required to provide the identification required by  
 561 | this section ~~further information that is required of first time~~  
 562 | ~~voters who register by mail.~~

563 |         (2) The voter registration official ~~supervisor of~~  
 564 | ~~elections~~ shall, upon accepting the voter registration  
 565 | application submitted pursuant to subsection (1) ~~for an~~  
 566 | ~~applicant who registered by mail and who has not previously~~  
 567 | ~~voted in the county~~, determine if the applicant provided the  
 568 | required identification at the time of registering. If the  
 569 | required identification was not provided, the supervisor shall  
 570 | notify the applicant that he or she must provide the  
 571 | identification prior to voting the first time in the state  
 572 | ~~county.~~

573 |         (3)(a) The following forms of identification shall be  
 574 | considered current and valid if they contain the name and  
 575 | photograph of the applicant and have not expired:

- 576 |             ~~1. Florida driver's license.~~
- 577 |             ~~2. Florida identification card issued by the Department of~~  
 578 | ~~Highway Safety and Motor Vehicles.~~
- 579 |             ~~1.3.~~ United States passport.
- 580 |             ~~2.4.~~ Employee badge or identification.
- 581 |             ~~3.5.~~ Buyer's club identification.
- 582 |             ~~4.6.~~ Debit or credit card.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

- 583 |       ~~5.7.~~ Military identification.
- 584 |       ~~6.8.~~ Student identification.
- 585 |       ~~7.9.~~ Retirement center identification.
- 586 |       ~~8.10.~~ Neighborhood association identification.
- 587 |       ~~11.~~ ~~Entertainment identification.~~
- 588 |       ~~9.12.~~ Public assistance identification.

589 |       (b) The following forms of identification shall be  
 590 | considered current and valid if they contain the name and  
 591 | current residence address of the applicant:

- 592 |           1. Utility bill.
- 593 |           2. Bank statement.
- 594 |           3. Government check.
- 595 |           4. Paycheck.
- 596 |           5. Other government document (excluding voter  
 597 | identification card).

598 |       Section 8. Subsection (1) of section 97.055, Florida  
 599 | Statutes, is amended to read:

600 |       97.055 Registration books; when closed for an election.--

601 |       (1) The registration books must be closed on the 29th day  
 602 | before each election and must remain closed until after that  
 603 | election. If an election is called and there are fewer than 29  
 604 | days before that election, the registration books must be closed  
 605 | immediately. When the registration books are closed for an  
 606 | election, only updates to a voter's name, address, and signature  
 607 | pursuant to ss. 98.077 and 101.045 will be permitted for  
 608 | purposes of the upcoming election. Voter registration  
 609 | applications and party changes must be accepted but only for the  
 610 | purpose of subsequent elections. However, party changes received

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

611 | between the book-closing date of the first primary election and  
 612 | the date of the second primary election are not effective until  
 613 | after the second primary election.

614 |       Section 9. Section 97.057, Florida Statutes, is amended to  
 615 | read:

616 |       97.057 Voter registration by the Department of Highway  
 617 | Safety and Motor Vehicles.--

618 |       (1) The Department of Highway Safety and Motor Vehicles  
 619 | shall provide the opportunity to register to vote or to update a  
 620 | voter registration record to each individual who comes to an  
 621 | office of that department to:

- 622 |       (a) Apply for or renew a driver's license;
- 623 |       (b) Apply for or renew an identification card pursuant to
- 624 | chapter 322; or
- 625 |       (c) Change an address on an existing driver's license or
- 626 | identification card.

627 |       (2) The Department of Highway Safety and Motor Vehicles  
 628 | shall:

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

630 |       1. Information gathered for the completion of a driver's  
 631 | license or identification card application, renewal, or change  
 632 | of address can be automatically transferred to a voter  
 633 | registration application;

634 |       2. If additional information and a signature are provided,  
 635 | the voter registration application will be completed and sent to  
 636 | the proper election authority;

637 |       3. Information provided can also be used to update a voter  
 638 | registration record;

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

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

641 5. The particular driver license office in which the  
 642 person applies to register to vote or updates a voter  
 643 registration record will remain confidential and may be used  
 644 only for voter registration purposes.

645 (b) Require a driver's license examiner to inquire orally,  
 646 or, if the applicant is hearing impaired, inquire in writing ~~if~~  
 647 ~~the applicant is hearing impaired,~~ and whether the applicant  
 648 wishes to register to vote or update a voter registration record  
 649 during the completion of a driver's license or identification  
 650 card application, renewal, or change of address.

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

653 a. All applicable information received by the Department  
 654 of Highway Safety and Motor Vehicles in the course of filling  
 655 out the forms necessary under subsection (1) must be transferred  
 656 to a voter registration application.†

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

661 c. A voter registration application with all of the  
 662 applicant's voter registration information required to establish  
 663 the applicant's eligibility pursuant to s. 97.041 must be  
 664 presented to the applicant to review and verify the voter  
 665 registration information received and provide an electronic



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

666 signature affirming the accuracy of the information provided  
 667 ~~sign.~~

668 2. If the applicant declines to register to vote, update  
 669 the applicant's voter registration record, or change the  
 670 applicant's address by either orally declining or by failing to  
 671 sign the voter registration application, the Department of  
 672 Highway Safety and Motor Vehicles must note such declination on  
 673 its records and shall forward the declination to the statewide  
 674 voter registration system ~~keep the declination for 2 years but~~  
 675 ~~must forward a copy of the unsigned voter registration~~  
 676 ~~application within 5 days after receipt to the appropriate~~  
 677 ~~supervisor of elections.~~

678 (3) For the purpose of this section, the Department of  
 679 Highway Safety and Motor Vehicles, with the approval of the  
 680 Department of State, shall prescribe:

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

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

686 (4) The Department of Highway Safety and Motor Vehicles  
 687 must electronically transmit ~~forward~~ completed voter  
 688 registration applications within 24 hours after receipt to the  
 689 statewide voter registration system. Completed paper voter  
 690 registration applications received by the Department of Highway  
 691 Safety and Motor Vehicles shall be forwarded within 5 days after  
 692 receipt to the supervisor of the county where the office that  
 693 processed or received that application is located.

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 HB 1589, Engrossed 3

2005 Legislature

694           (5) The Department of Highway Safety and Motor Vehicles  
 695 must send, with each driver's license renewal extension  
 696 application authorized pursuant to s. 322.18(8), a uniform  
 697 statewide voter registration application, the voter registration  
 698 application prescribed under paragraph (3)(a), or a voter  
 699 registration application developed especially for the purposes  
 700 of this subsection by the Department of Highway Safety and Motor  
 701 Vehicles, with the approval of the Department of State, which  
 702 must meet the requirements of s. 97.052.

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

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

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

708           (c) Make any statement to an applicant or take any action  
 709 the purpose or effect of which is to discourage the applicant  
 710 from registering to vote; or

711           (d) Disclose any applicant's voter registration  
 712 information except as needed for the administration of voter  
 713 registration.

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

719           (7)(8) The Department of Highway Safety and Motor Vehicles  
 720 shall collect data determined necessary by the Department of  
 721 State for program evaluation and reporting to the ~~Federal~~

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

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

724 ~~(8)-(9)~~ The Department of Highway Safety and Motor Vehicles  
 725 must ensure that all voter registration services provided by  
 726 driver license offices are in compliance with the Voting Rights  
 727 Act of 1965.

728 (9) The Department of Highway Safety and Motor Vehicles  
 729 shall retain complete records of voter registration information  
 730 received, processed, and submitted to the statewide voter  
 731 registration system by the Department of Highway Safety and  
 732 Motor Vehicles. These records shall be for the explicit purpose  
 733 of supporting audit and accounting controls established to  
 734 ensure accurate and complete electronic transmission of records  
 735 between the statewide voter registration system and the  
 736 Department of Highway Safety and Motor Vehicles.

737 (10) The department shall provide the Department of  
 738 Highway Safety and Motor Vehicles with an electronic database of  
 739 street addresses valid for use as the legal residence address as  
 740 required in s. 97.053(5). The Department of Highway Safety and  
 741 Motor Vehicles shall compare the address provided by the  
 742 applicant against the database of valid street addresses. If the  
 743 address provided by the applicant does not match a valid street  
 744 address in the database, the applicant will be asked to verify  
 745 the address provided. The Department of Highway Safety and Motor  
 746 Vehicles shall not reject any application for voter registration  
 747 for which a valid match cannot be made.

748 (11) The Department of Highway Safety and Motor Vehicles  
 749 shall enter into an agreement with the department to match

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

750 information in the statewide voter registration system with  
751 information in the database of the Department of Highway Safety  
752 and Motor Vehicles to the extent required to verify the accuracy  
753 of the driver's license number, Florida identification number,  
754 or last four digits of the social security number provided on  
755 applications for voter registration as required in s. 97.053.

756 (12) The Department of Highway Safety and Motor Vehicles  
757 shall enter into an agreement with the Commissioner of Social  
758 Security as required by the Help America Vote Act of 2002 to  
759 verify the last four digits of the social security number  
760 provided in applications for voter registration as required in  
761 s. 97.053.

762 Section 10. Subsections (6), (7), and (9) of section  
763 97.058, Florida Statutes, are amended to read:

764 97.058 Voter registration agencies.--

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

769 (7) A voter registration agency must retain declinations  
770 for a period of 2 years, during which time the declinations are  
771 not considered a record of the client pursuant to the laws  
772 governing the agency's records. ~~However, a voter registration~~  
773 ~~agency must forward a copy of each incompleter voter~~  
774 ~~registration application within 5 days after receipt to the~~  
775 ~~appropriate supervisor of elections.~~

776 (9) A voter registration agency must collect data  
777 determined necessary by the department, as provided by rule, for

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

778 | program evaluation and reporting to the ~~Federal~~ Election  
 779 | Assistance Commission pursuant to federal law ~~the National Voter~~  
 780 | ~~Registration Act of 1993.~~

781 | Section 11. Section 97.061, Florida Statutes, is amended  
 782 | to read:

783 | 97.061 Special registration for electors requiring  
 784 | assistance.--

785 | (1) Any person who is eligible to register and who is  
 786 | unable to read or write or who, because of some disability,  
 787 | needs assistance in voting shall upon that person's request be  
 788 | registered ~~by the supervisor~~ under the procedure prescribed by  
 789 | this section and shall be entitled to receive assistance at the  
 790 | polls under the conditions prescribed by this section. The  
 791 | department may adopt rules to administer this section.

792 | (2) If a person is qualified to register pursuant to this  
 793 | section, the voter registration official ~~supervisor~~ shall note  
 794 | in that person's registration record that the person needs  
 795 | assistance in voting.

796 | (3) The precinct register generated by the supervisor  
 797 | shall contain ~~Upon registering any person pursuant to this~~  
 798 | ~~section, the supervisor must make a notation on the registration~~  
 799 | ~~books or records which are delivered to the polls on election~~  
 800 | ~~day~~ that such person is eligible for assistance in voting, and  
 801 | the supervisor may ~~issue such person a special registration~~  
 802 | ~~identification card~~ or make a ~~some~~ notation on the voter  
 803 | information ~~regular registration identification~~ card that such  
 804 | person is eligible for assistance in voting. Such person shall  
 805 | be entitled to receive the assistance of two election officials

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

806 or some other person of his or her own choice, other than the  
 807 person's employer, the agent of the person's employer, or an  
 808 officer or agent of the person's union, without the necessity of  
 809 executing the "Declaration to Secure Assistance" prescribed in  
 810 s. 101.051. Such person shall notify the supervisor of any  
 811 change in his or her condition which makes it unnecessary for  
 812 him or her to receive assistance in voting.

813 Section 12. Section 97.071, Florida Statutes, is amended  
 814 to read:

815 97.071 Voter information ~~Registration identification~~  
 816 card.--

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

- 821 (a) Voter's registration number.
- 822 (b) Date of registration.
- 823 (c) Full name.
- 824 (d) Party affiliation.
- 825 (e) Date of birth.
- 826 ~~(f) Race or ethnicity, if provided by the applicant.~~
- 827 ~~(g) Sex, if provided by the applicant.~~
- 828 (f)(h) Address of legal residence.
- 829 (g)(i) Precinct number.
- 830 (h)(j) Name of supervisor and contact information of  
 831 supervisor.
- 832 ~~(k) Place for voter's signature.~~

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

833 |        (i)~~(1)~~ Other information deemed necessary by the  
 834 | supervisor ~~department~~.

835 |        (2) A voter may receive a replacement voter information ~~of~~  
 836 | ~~a registration identification~~ card by providing a signed,  
 837 | written request for a replacement card to a voter registration  
 838 | official ~~the supervisor~~. Upon verification of registration, the  
 839 | supervisor shall issue the voter a duplicate card without  
 840 | charge.

841 |        (3) In the case of a change of name, address, or party  
 842 | affiliation, the supervisor shall ~~must~~ issue the voter a new  
 843 | voter information ~~registration identification~~ card. However, a  
 844 | voter information ~~registration identification~~ card indicating a  
 845 | party affiliation change made between the book-closing date for  
 846 | the ~~first~~ primary election and the date of the ~~second~~ primary  
 847 | election may not be issued until after the ~~second~~ primary  
 848 | election.

849 |        Section 13. Section 97.073, Florida Statutes, is amended  
 850 | to read:

851 |        97.073 Disposition of voter registration applications;  
 852 | cancellation notice.--

853 |        (1) The supervisor must notify each applicant of the  
 854 | disposition of the applicant's voter registration application.  
 855 | The notice must inform the applicant that the application has  
 856 | been approved, is incomplete, has been denied, or is a duplicate  
 857 | of a current registration. A voter information ~~registration~~  
 858 | ~~identification~~ card sent to an applicant constitutes notice of  
 859 | approval of registration. If the application is incomplete, the  
 860 | supervisor must request that the applicant supply the missing

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

861 information using a voter registration application signed by the  
 862 applicant in writing and sign a statement that the additional  
 863 information is true and correct. A notice of denial must inform  
 864 the applicant of the reason the application was denied.

865 (2) Within 2 weeks after approval of a voter registration  
 866 application that indicates that the applicant was previously  
 867 registered in another state jurisdiction, the department  
 868 supervisor must notify the registration official in the prior  
 869 state jurisdiction that the applicant is now registered in this  
 870 state the supervisor's county.

871 Section 14. Section 97.1031, Florida Statutes, is amended  
 872 to read:

873 97.1031 Notice of change of residence ~~within the same~~  
 874 ~~county,~~ change of name, or change of party affiliation.--

875 (1) When an elector moves from the address named on that  
 876 person's voter registration record to another address within the  
 877 same county, the elector must provide notification of such move  
 878 to the supervisor of elections of that county. The elector may  
 879 provide the supervisor a signed, written notice or may notify  
 880 the supervisor by telephone or electronic means. However,  
 881 notification of such move other than by signed, written notice  
 882 must include the elector's date of birth. An elector may also  
 883 provide notification to other voter registration officials as  
 884 provided in subsection (2). A voter information registration  
 885 identification card reflecting the new information ~~address of~~  
 886 ~~legal residence~~ shall be issued to the elector as provided in  
 887 subsection (3) ~~(4)~~.



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

888           (2) When an elector moves from the address named on that  
 889 person's voter registration record to another address in a  
 890 different county but within the state, the elector seeks to  
 891 change party affiliation, or the name of an elector is changed  
 892 by marriage or other legal process, the elector shall ~~must~~  
 893 provide notice ~~a signed, written notification~~ of such change to  
 894 a voter registration official using a voter registration  
 895 application signed by the elector. A voter information ~~the~~  
 896 ~~supervisor and obtain a registration identification card~~  
 897 reflecting the new information shall be issued to the elector as  
 898 provided in subsection (3) ~~name.~~

899           ~~(3) When an elector seeks to change party affiliation, the~~  
 900 ~~elector must provide a signed, written notification of such~~  
 901 ~~intent to the supervisor and obtain a registration~~  
 902 ~~identification card reflecting the new party affiliation,~~  
 903 ~~subject to the issuance restriction in s. 97.071(3).~~

904           (3)(4) The voter registration official ~~supervisor~~ shall  
 905 make the necessary changes in the elector's records as soon as  
 906 practical upon receipt of such notice of a change of address of  
 907 legal residence, name, or party affiliation. The supervisor of  
 908 elections ~~and~~ shall issue the new voter information ~~registration~~  
 909 ~~identification card as required by s. 97.071(3).~~

910           Section 15. Section 97.105, Florida Statutes, is amended  
 911 to read:

912           97.105 Permanent single registration system established.--  
 913 A permanent single registration system for the registration of  
 914 electors to qualify them to vote in all elections is provided  
 915 for the several counties and municipalities. This system shall

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

916 be put into use by all municipalities and shall be in lieu of  
 917 any other system of municipal registration. Electors shall be  
 918 registered pursuant to ~~in pursuance of~~ this system by a voter  
 919 registration official ~~the supervisor or by a deputy supervisor,~~  
 920 and electors registered shall not thereafter be required to  
 921 register or reregister except as provided by law.

922 Section 16. Subsections (3), (10), and (11) of section  
 923 98.015, Florida Statutes, are amended, and subsection (12) is  
 924 added to that section, to read:

925 98.015 Supervisor of elections; election, tenure of  
 926 office, compensation, custody of books, office hours, successor,  
 927 seal; appointment of deputy supervisors; duties.--

928 (3) The supervisor shall update voter registration  
 929 information, enter new voter registrations into the statewide  
 930 voter registration system, and act as ~~is~~ the official custodian  
 931 of documents received by the supervisor related to the  
 932 registration of electors and changes in voter registration  
 933 status of electors of the supervisor's county ~~the registration~~  
 934 ~~books and has the exclusive control of matters pertaining to~~  
 935 ~~registration of electors.~~

936 (10) Each supervisor shall ~~must~~ ensure that all voter  
 937 registration and list maintenance procedures conducted by such  
 938 supervisor are in compliance with any applicable requirements  
 939 prescribed by rule of the department through the statewide voter  
 940 registration system or prescribed by ~~for that county under the~~  
 941 Voting Rights Act of 1965, the National Voter Registration Act  
 942 of 1993, or the Help America Vote Act of 2002.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

943           (11) Each supervisor shall ensure that any voter  
 944 registration system used by the supervisor for administering his  
 945 or her duties as a voter registration official complies with the  
 946 specifications and procedures established by rule of the  
 947 department and the statewide voter registration system ~~Each~~  
 948 ~~supervisor of elections shall forward to the property appraiser~~  
 949 ~~for the county in which the homestead is claimed the name of the~~  
 950 ~~person and the address of the homestead of each person who~~  
 951 ~~registers to vote at an address other than that at which the~~  
 952 ~~person claims a homestead exemption, as disclosed on the uniform~~  
 953 ~~statewide voter registration application pursuant to s. 97.052.~~

954           (12) Each supervisor shall maintain a list of valid  
 955 residential street addresses for purposes of verifying the legal  
 956 addresses of voters residing in the supervisor's county. The  
 957 supervisor shall make all reasonable efforts to coordinate with  
 958 county 911 service providers, property appraisers, the United  
 959 States Postal Service, or other agencies as necessary to ensure  
 960 the continued accuracy of such list. The supervisor shall  
 961 provide the list of valid residential addresses to the statewide  
 962 voter registration system in the manner and frequency specified  
 963 by rule of the department.

964           Section 17. Section 98.035, Florida Statutes, is created  
 965 to read:

966           98.035 Statewide voter registration system;  
 967 implementation, operation, and maintenance.--

968           (1) The Secretary of State, as chief election officer of  
 969 the state, shall be responsible for implementing, operating, and  
 970 maintaining, in a uniform and nondiscriminatory manner, a

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

971 single, uniform, official, centralized, interactive,  
 972 computerized statewide voter registration system as required by  
 973 the Help America Vote Act of 2002. The department may adopt  
 974 rules to administer this section.

975 (2) The statewide voter registration system must contain  
 976 the name and registration information of every legally  
 977 registered voter in the state. All voters shall be assigned a  
 978 unique identifier. The system shall be the official list of  
 979 registered voters in the state and shall provide secured access  
 980 by authorized voter registration officials. The system shall  
 981 enable voter registration officials to provide, access, and  
 982 update voter registration information.

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

985 (4) The implementation of the statewide voter registration  
 986 system shall not prevent any supervisor of elections from  
 987 acquiring, maintaining, or using any hardware or software  
 988 necessary or desirable to carry out the supervisor's  
 989 responsibilities related to the use of voter registration  
 990 information or the conduct of elections, provided that such  
 991 hardware or software does not conflict with the operation of the  
 992 statewide voter registration system.

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

996 Section 18. Section 98.045, Florida Statutes, is amended  
 997 to read:

998 98.045 Administration of voter registration.--

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

999 |           (1) ELIGIBILITY OF APPLICANT.--The ~~Each~~ supervisor must  
 1000 | ensure that any eligible applicant for voter registration is  
 1001 | registered to vote and that each application for voter  
 1002 | registration is processed in accordance with law. The supervisor  
 1003 | shall determine whether a voter registration applicant is  
 1004 | ineligible based on any of the following:

1005 |           (a) The failure to complete a voter registration  
 1006 | application as specified in s. 97.053.

1007 |           (b) The applicant is deceased.

1008 |           (c) The applicant has been convicted of a felony for which  
 1009 | his or her civil rights have not been restored.

1010 |           (d) The applicant has been adjudicated mentally  
 1011 | incapacitated with respect to the right to vote and such right  
 1012 | has not been restored.

1013 |           (e) The applicant does not meet the age requirement  
 1014 | pursuant to s. 97.041.

1015 |           (f) The applicant is not a United States citizen.

1016 |           (g) The applicant is a fictitious person.

1017 |           (h) The applicant has provided an address of legal  
 1018 | residence that is not his or her legal residence.

1019 |           (i) The applicant has provided a driver's license number,  
 1020 | Florida identification card number, or the last four digits of a  
 1021 | social security number that is not verifiable by the department.

1022 |           (2) REMOVAL OF REGISTERED VOTERS.--

1023 |           (a) Once a voter is registered, the name of that voter may  
 1024 | not be removed from the statewide voter registration system  
 1025 | ~~books~~ except at the written request of the voter, by reason of  
 1026 | the voter's conviction of a felony or adjudication as mentally

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1027 | incapacitated with respect to voting, by death of the voter, or  
 1028 | pursuant to a registration list maintenance ~~program or other~~  
 1029 | ~~registration list maintenance~~ activity conducted pursuant to s.  
 1030 | 98.065 or, s. 98.075, ~~or s. 98.0977.~~

1031 |       (b) ~~(2)~~ Information received by a voter registration  
 1032 | official supervisor from an election official in another state  
 1033 | ~~jurisdiction~~ indicating that a registered voter in this state  
 1034 | ~~the supervisor's county~~ has registered to vote in that other  
 1035 | state jurisdiction shall be considered as a written request from  
 1036 | the voter to have the voter's name removed from the statewide  
 1037 | voter registration system ~~books of the supervisor's county.~~

1038 |       (3) PUBLIC RECORDS ACCESS AND RETENTION. ~~--Notwithstanding~~  
 1039 | ~~the provisions of ss. 98.095 and 98.0977,~~ Each supervisor shall  
 1040 | maintain for at least 2 years, and make available for public  
 1041 | inspection and copying, all records concerning implementation of  
 1042 | registration list maintenance programs and activities conducted  
 1043 | pursuant to ss. 98.065 and, 98.075, ~~and 98.0977.~~ The records  
 1044 | must include lists of the name and address of each person to  
 1045 | whom a ~~an address confirmation final~~ notice was sent and  
 1046 | information as to whether each such person responded to the  
 1047 | mailing, but may not include any information that is  
 1048 | confidential or exempt from public records requirements under  
 1049 | this code.

1050 |       (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL  
 1051 | STREET ADDRESSES. ~~--~~

1052 |       (a) The department shall compile and maintain a statewide  
 1053 | electronic database of valid residential street addresses from  
 1054 | the information provided by the supervisors of elections

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1055 pursuant to s. 98.015. The department shall evaluate the  
 1056 information provided by the supervisors of elections to identify  
 1057 any duplicate addresses and any address that may overlap county  
 1058 boundaries.

1059 (b) The department shall make the statewide database of  
 1060 valid street addresses available to the Department of Highway  
 1061 Safety and Motor Vehicles as provided in s. 97.057(10). The  
 1062 Department of Highway Safety and Motor Vehicles shall use the  
 1063 database for purposes of validating the legal residential  
 1064 addresses provided in voter registration applications received  
 1065 by the Department of Highway Safety and Motor Vehicles.

1066 (5) FORMS.--The department may prescribe by rule forms  
 1067 necessary to conduct maintenance of records in the statewide  
 1068 voter registration system.

1069 Section 19. Section 98.065, Florida Statutes, as amended  
 1070 by chapter 2002-281, Laws of Florida, is amended to read:

1071 98.065 Registration list maintenance programs.--

1072 (1) The supervisor must conduct a general registration  
 1073 list maintenance program to protect the integrity of the  
 1074 electoral process by ensuring the maintenance of accurate and  
 1075 current voter registration records in the statewide voter  
 1076 registration system. The program must be uniform,  
 1077 nondiscriminatory, and in compliance with the Voting Rights Act  
 1078 of 1965, the National Voter Registration Act of 1993, and the  
 1079 Help America Vote Act of 2002. As used in this subsection, the  
 1080 term "nondiscriminatory" applies to and includes persons with  
 1081 disabilities.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1082 (2) A supervisor must incorporate one or more of the  
 1083 following procedures in the supervisor's biennial registration  
 1084 list maintenance program under which:

1085 (a) Change-of-address information supplied by the United  
 1086 States Postal Service through its licensees is used to identify  
 1087 registered voters whose addresses might have changed;

1088 (b) Change-of-address information is identified from  
 1089 returned nonforwardable return-if-undeliverable mail sent to all  
 1090 registered voters in the county; or

1091 (c) Change-of-address information is identified from  
 1092 returned nonforwardable return-if-undeliverable address  
 1093 confirmation requests mailed to all registered voters who have  
 1094 not voted in the last 2 years and who did not make a written  
 1095 request that their registration records be updated during that  
 1096 time.

1097 (3) A registration list maintenance program must be  
 1098 conducted by each supervisor, at a minimum, in each odd-numbered  
 1099 year and must be completed not later than 90 days prior to the  
 1100 date of any federal election. All list maintenance actions  
 1101 associated with each voter must be entered, tracked, and  
 1102 maintained in the statewide voter registration system.

1103 (4) (a) If the supervisor receives change-of-address  
 1104 information pursuant to the activities conducted in subsection  
 1105 (2), from jury notices signed by the voter and returned to the  
 1106 courts, from the Department of Highway Safety and Motor  
 1107 Vehicles, or from other sources, which information indicates  
 1108 that the legal address of a registered voter might have changed,  
 1109 the supervisor shall send by forwardable return-if-undeliverable



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1110 mail an address confirmation notice to the address at which the  
 1111 voter was last registered. A supervisor may also send an address  
 1112 confirmation notice to any voter who the supervisor has reason  
 1113 to believe has moved from his or her legal residence.

1114 (b) The address confirmation notice shall contain a  
 1115 postage prepaid preaddressed return form on which:

1116 1. If the voter has changed his or her address of legal  
 1117 residence to a location outside the state, the voter shall mark  
 1118 that the voter's legal residence has changed to a location  
 1119 outside the state. The form shall also include information on  
 1120 how to register in the new state in order to be eligible to  
 1121 vote. The form must be returned within 30 days after the date of  
 1122 the notice. The completed form shall constitute a request to be  
 1123 removed from the statewide voter registration system.

1124 2. If the voter has changed his or her address of legal  
 1125 residence to a location inside the state, the voter shall set  
 1126 forth the updated or corrected address and submit the return  
 1127 form within 30 days after the date of the notice. The completed  
 1128 form shall constitute a request to update the statewide voter  
 1129 registration system with the updated or corrected address  
 1130 information.

1131 3. If the voter has not changed his or her address of  
 1132 legal residence as printed on the address confirmation notice,  
 1133 the voter shall confirm that his or her address of legal  
 1134 residence has not changed and submit the form within 30 days  
 1135 after the date of the notice.

1136 (c) The supervisor must designate as inactive all voters  
 1137 who have been sent an address confirmation notice and who have

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1138 not returned the postage prepaid preaddressed return form within  
 1139 30 days or for which an address confirmation notice has been  
 1140 returned as undeliverable. Names on the inactive list may not be  
 1141 used to calculate the number of signatures needed on any  
 1142 petition. A voter on the inactive list may be restored to the  
 1143 active list of voters upon the voter updating his or her  
 1144 registration, requesting an absentee ballot, or appearing to  
 1145 vote. However, if the voter does not update his or her voter  
 1146 registration information, request an absentee ballot, or vote by  
 1147 the second general election after being placed on the inactive  
 1148 list, the voter's name shall be removed from the statewide voter  
 1149 registration system and the voter shall be required to  
 1150 reregister to have his or her name restored to the statewide  
 1151 voter registration system.

1152 (5) A notice may not be issued pursuant to this section  
 1153 and a voter's name may not be removed from the statewide voter  
 1154 registration system later than 90 days prior to the date of a  
 1155 federal election. However, this section does not preclude the  
 1156 removal of the name of a voter from the statewide voter  
 1157 registration system at any time upon the voter's written  
 1158 request, by reason of the voter's death, or upon a determination  
 1159 of the voter's ineligibility as provided in s. 98.075(7).

1160 (6) (a) No later than July 31 and January 31 of each year,  
 1161 the supervisor must certify to the department the list  
 1162 maintenance activities conducted during the first 6 months and  
 1163 the second 6 months of the year, respectively, including the  
 1164 number of address confirmation requests sent, the number of

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1165 voters designated as inactive, and the number of voters removed  
 1166 from the statewide voter registration system.

1167 (b) If, based on the certification provided pursuant to  
 1168 paragraph (a), the department determines that a supervisor has  
 1169 not conducted the list maintenance activities required by this  
 1170 section, the department shall conduct the appropriate list  
 1171 maintenance activities for that county. Failure to conduct list  
 1172 maintenance activities as required in this section constitutes a  
 1173 violation of s. 104.051. A voter's name may not be removed from  
 1174 the registration books later than 90 days prior to the date of a  
 1175 federal election. However, nothing in this section shall  
 1176 preclude the removal of the name of a voter from the voter  
 1177 registration books, at any time and without prior notification,  
 1178 upon the written request of the voter, by reason of conviction  
 1179 of the voter of a felony, by reason of adjudication of the voter  
 1180 as mentally incapacitated with respect to voting, by reason of  
 1181 the death of the voter, or upon a determination of ineligibility  
 1182 as provided in s. 98.075(3).

1183 ~~(4) If the supervisor receives change of address~~  
 1184 ~~information from the United States Postal Service or its~~  
 1185 ~~licensees or from jury notices signed by the voter and returned~~  
 1186 ~~to the courts, which indicates that:~~

1187 ~~(a) The voter has moved within the supervisor's county,~~  
 1188 ~~the supervisor must change the registration records to show the~~  
 1189 ~~new address and must send the voter a notice of the change by~~  
 1190 ~~forwardable mail, including a postage prepaid preaddressed~~  
 1191 ~~return form with which the voter may verify or correct the~~  
 1192 ~~address information.~~

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1193 ~~(b) The voter has moved outside the supervisor's county,~~  
 1194 ~~or contains no forwarding address, the supervisor shall send an~~  
 1195 ~~address confirmation final notice and remove the name of the~~  
 1196 ~~voter from the registration record if that voter did not:~~

- 1197 ~~1. Return the postage prepaid preaddressed return form;~~
- 1198 ~~2. Appear to vote;~~
- 1199 ~~3. Change the voter's registration; or~~
- 1200 ~~4. Request an absentee ballot~~

1201  
 1202 ~~during the period beginning on the date when the address~~  
 1203 ~~confirmation final notice was sent and ending on the day after~~  
 1204 ~~the date of the second general election thereafter.~~

1205 ~~(5) The supervisor must designate as inactive all voters~~  
 1206 ~~who have been sent an address confirmation final notice and who~~  
 1207 ~~have not returned the postage prepaid preaddressed return form~~  
 1208 ~~within 30 days. A voter on the inactive list must be allowed to~~  
 1209 ~~vote and to change the voter's name or address of legal~~  
 1210 ~~residence at the polls pursuant to s. 101.045. Names on the~~  
 1211 ~~inactive list may not be used to calculate the number of~~  
 1212 ~~signatures needed on any petition or the quantity of voting~~  
 1213 ~~equipment needed.~~

1214 Section 20. Section 98.075, Florida Statutes, is amended  
 1215 to read:

1216 (Substantial rewording of section. See  
 1217 s. 98.075, F.S., for present text.)

1218 98.075 Registration records maintenance activities;  
 1219 ineligibility determinations.--

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1220       (1) MAINTENANCE OF RECORDS.--The department shall protect  
 1221 the integrity of the electoral process by ensuring the  
 1222 maintenance of accurate and current voter registration records.  
 1223 List maintenance activities must be uniform, nondiscriminatory,  
 1224 and in compliance with the Voting Rights Act of 1965, the  
 1225 National Voter Registration Act of 1993, and the Help America  
 1226 Vote Act of 2002. The department may adopt by rule uniform  
 1227 standards and procedures to interpret and administer this  
 1228 section.

1229       (2) DUPLICATE REGISTRATION.--The department shall identify  
 1230 those voters who are registered more than once or those  
 1231 applicants whose registration applications would result in  
 1232 duplicate registrations. The most recent application shall be  
 1233 deemed an update to the voter registration record.

1234       (3) DECEASED PERSONS.--The department shall identify those  
 1235 registered voters who are deceased by comparing information on  
 1236 the lists of deceased persons received from the Department of  
 1237 Health as provided in s. 98.093. Upon receipt of such  
 1238 information through the statewide voter registration system, the  
 1239 supervisor shall remove the name of the registered voter.

1240       (4) ADJUDICATION OF MENTAL INCAPACITY.--The department  
 1241 shall identify those registered voters who have been adjudicated  
 1242 mentally incapacitated with respect to voting and who have not  
 1243 had their voting rights restored by comparing information  
 1244 received from the clerk of the circuit court as provided in s.  
 1245 98.093. The department shall review such information and make an  
 1246 initial determination as to whether the information is credible  
 1247 and reliable. If the department determines that the information

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1248 is credible and reliable, the department shall notify the  
 1249 supervisor and provide a copy of the supporting documentation  
 1250 indicating the potential ineligibility of the voter to be  
 1251 registered. Upon receipt of the notice that the department has  
 1252 made a determination of initial credibility and reliability, the  
 1253 supervisor shall adhere to the procedures set forth in  
 1254 subsection (7) prior to the removal of a registered voter from  
 1255 the statewide voter registration system.

1256 (5) FELONY CONVICTION.--The department shall identify  
 1257 those registered voters who have been convicted of a felony and  
 1258 whose rights have not been restored by comparing information  
 1259 received from, but not limited to, a clerk of the circuit court,  
 1260 the Board of Executive Clemency, the Department of Corrections,  
 1261 the Department of Law Enforcement, or a United States Attorney's  
 1262 Office, as provided in s. 98.093. The department shall review  
 1263 such information and make an initial determination as to whether  
 1264 the information is credible and reliable. If the department  
 1265 determines that the information is credible and reliable, the  
 1266 department shall notify the supervisor and provide a copy of the  
 1267 supporting documentation indicating the potential ineligibility  
 1268 of the voter to be registered. Upon receipt of the notice that  
 1269 the department has made a determination of initial credibility  
 1270 and reliability, the supervisor shall adhere to the procedures  
 1271 set forth in subsection (7) prior to the removal of a registered  
 1272 voter's name from the statewide voter registration system.

1273 (6) OTHER BASES FOR INELIGIBILITY.--If the department or  
 1274 supervisor receives information other than from the sources  
 1275 identified in subsections (2)-(5) that a registered voter does

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1276 not meet the age requirement pursuant to s. 97.041, is not a  
 1277 United States citizen, is a fictitious person, or has listed a  
 1278 residence that is not his or her legal residence, the supervisor  
 1279 shall adhere to the procedures set forth in subsection (7) prior  
 1280 to the removal of a registered voter's name from the statewide  
 1281 voter registration system.

1282 (7) PROCEDURES FOR REMOVAL.--

1283 (a) If the supervisor receives notice or information  
 1284 pursuant to subsections (4)-(6), the supervisor of the county in  
 1285 which the voter is registered shall:

1286 1. Notify the registered voter of his or her potential  
 1287 ineligibility by mail within 7 days after receipt of notice or  
 1288 information. The notice shall include:

1289 a. A statement of the basis for the registered voter's  
 1290 potential ineligibility and a copy of any documentation upon  
 1291 which the potential ineligibility is based.

1292 b. A statement that failure to respond within 30 days  
 1293 after receipt of the notice may result in a determination of  
 1294 ineligibility and in removal of the registered voter's name from  
 1295 the statewide voter registration system.

1296 c. A return form that requires the registered voter to  
 1297 admit or deny the accuracy of the information underlying the  
 1298 potential ineligibility for purposes of a final determination by  
 1299 the supervisor.

1300 d. A statement that, if the voter is denying the accuracy  
 1301 of the information underlying the potential ineligibility, the  
 1302 voter has a right to request a hearing for the purpose of  
 1303 determining eligibility.

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

- 1304        e. Instructions for the registered voter to contact the  
1305 supervisor of elections of the county in which the voter is  
1306 registered if assistance is needed in resolving the matter.
- 1307        f. Instructions for seeking restoration of civil rights  
1308 following a felony conviction, if applicable.
- 1309        2. If the mailed notice is returned as undeliverable, the  
1310 supervisor shall publish notice once in a newspaper of general  
1311 circulation in the county in which the voter was last  
1312 registered. The notice shall contain the following:
- 1313            a. The voter's name and address.
- 1314            b. A statement that the voter is potentially ineligible to  
1315 be registered to vote.
- 1316            c. A statement that failure to respond within 30 days  
1317 after the notice is published may result in a determination of  
1318 ineligibility by the supervisor and removal of the registered  
1319 voter's name from the statewide voter registration system.
- 1320            d. An instruction for the voter to contact the supervisor  
1321 no later than 30 days after the date of the published notice to  
1322 receive information regarding the basis for the potential  
1323 ineligibility and the procedure to resolve the matter.
- 1324            e. An instruction to the voter that, if further assistance  
1325 is needed, the voter should contact the supervisor of elections  
1326 of the county in which the voter is registered.
- 1327        3. If a registered voter fails to respond to a notice  
1328 pursuant to subparagraph 1. or subparagraph 2., the supervisor  
1329 shall make a final determination of the voter's eligibility. If  
1330 the supervisor determines that the voter is ineligible, the  
1331 supervisor shall remove the name of the registered voter from



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1332 the statewide voter registration system. The supervisor shall  
 1333 notify the registered voter of the supervisor's determination  
 1334 and action.

1335 4. If a registered voter responds to the notice pursuant  
 1336 to subparagraph 1. or subparagraph 2. and admits the accuracy of  
 1337 the information underlying the potential ineligibility, the  
 1338 supervisor shall make a final determination of ineligibility and  
 1339 shall remove the voter's name from the statewide voter  
 1340 registration system. The supervisor shall notify the registered  
 1341 voter of the supervisor's determination and action.

1342 5. If a registered voter responds to the notice issued  
 1343 pursuant to subparagraph 1. or subparagraph 2. and denies the  
 1344 accuracy of the information underlying the potential  
 1345 ineligibility but does not request a hearing, the supervisor  
 1346 shall review the evidence and make a final determination of  
 1347 eligibility. If such registered voter requests a hearing, the  
 1348 supervisor shall send notice to the registered voter to attend a  
 1349 hearing at a time and place specified in the notice. Upon  
 1350 hearing all evidence presented at the hearing, the supervisor  
 1351 shall make a determination of eligibility. If the supervisor  
 1352 determines that the registered voter is ineligible, the  
 1353 supervisor shall remove the voter's name from the statewide  
 1354 voter registration system and notify the registered voter of the  
 1355 supervisor's determination and action.

1356 (b) The following shall apply to this subsection:

1357 1. All determinations of eligibility shall be based on a  
 1358 preponderance of the evidence.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1359 2. All proceedings are exempt from the provisions of  
 1360 chapter 120.

1361 3. Any notice shall be sent to the registered voter by  
 1362 certified mail, return receipt requested, or other means that  
 1363 provides a verification of receipt or shall be published in a  
 1364 newspaper of general circulation where the voter was last  
 1365 registered, whichever is applicable.

1366 4. The supervisor shall remove the name of any registered  
 1367 voter from the statewide voter registration system only after  
 1368 the supervisor makes a final determination that the voter is  
 1369 ineligible to vote.

1370 5. Any voter whose name has been removed from the  
 1371 statewide voter registration system pursuant to a determination  
 1372 of ineligibility may appeal that determination under the  
 1373 provisions of s. 98.0755.

1374 6. Any voter whose name was removed from the statewide  
 1375 voter registration system on the basis of a determination of  
 1376 ineligibility who subsequently becomes eligible to vote must  
 1377 reregister in order to have his or her name restored to the  
 1378 statewide voter registration system.

1379 (8) CERTIFICATION.--

1380 (a) No later than July 31 and January 31 of each year, the  
 1381 supervisor shall certify to the department the activities  
 1382 conducted pursuant to this section during the first 6 months and  
 1383 the second 6 months of the year, respectively. The certification  
 1384 shall include the number of persons to whom notices were sent  
 1385 pursuant to subsection (7), the number of persons who responded  
 1386 to the notices, the number of notices returned as undeliverable,

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1387 the number of notices published in the newspaper, the number of  
 1388 hearings conducted, and the number of persons removed from the  
 1389 statewide voter registration systems and the reasons for such  
 1390 removals.

1391 (b) If, based on the certification provided pursuant to  
 1392 paragraph (a), the department determines that a supervisor has  
 1393 not satisfied the requirements of this section, the department  
 1394 shall satisfy the appropriate requirements for that county.  
 1395 Failure to satisfy the requirements of this section shall  
 1396 constitute a violation of s. 104.051.

1397 Section 21. Section 98.0755, Florida Statutes, is created  
 1398 to read:

1399 98.0755 Appeal of determination of ineligibility.--Appeal  
 1400 of the supervisor's determination of ineligibility pursuant to  
 1401 s. 98.075(7) may be taken to the circuit court in and for the  
 1402 county where the person was registered. Notice of appeal must be  
 1403 filed within the time and in the manner provided by the Florida  
 1404 Rules of Appellate Procedure and acts as supersedeas. Trial in  
 1405 the circuit court is de novo and governed by the rules of that  
 1406 court. Unless the person can show that his or her name was  
 1407 erroneously or illegally removed from the statewide voter  
 1408 registration system, or that he or she is indigent, the person  
 1409 must bear the costs of the trial in the circuit court.  
 1410 Otherwise, the cost of the appeal must be paid by the supervisor  
 1411 of elections.

1412 Section 22. Section 98.077, Florida Statutes, is amended  
 1413 to read:

1414 98.077 Update of voter signature.--

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1415       (1) A registered voter may update his or her signature on  
 1416 file in the statewide voter registration system at any time  
 1417 using a voter registration application submitted to a voter  
 1418 registration official.

1419       (2) The department and supervisors ~~supervisor~~ of elections  
 1420 shall include in any correspondence, other than postcard  
 1421 notifications and notices relating to eligibility, sent to a  
 1422 ~~provide to each~~ registered voter information regarding of the  
 1423 ~~county the opportunity to update his or her signature on file at~~  
 1424 ~~the supervisor's office by providing notification of the ability~~  
 1425 ~~to do so in any correspondence, other than postcard~~  
 1426 ~~notifications, sent to the voter. The notice shall advise when,~~  
 1427 where, and how to update the voter's signature and shall provide  
 1428 the voter information on how to obtain a voter registration  
 1429 application form ~~form~~ from a voter registration official which the  
 1430 ~~supervisor that~~ can be returned to update the signature.

1431       (3) In addition, At least once during each general  
 1432 election year, the supervisor shall publish in a newspaper of  
 1433 general circulation or other newspaper in the county deemed  
 1434 appropriate by the supervisor a notice specifying when, where,  
 1435 or how a voter can update his or her signature that is on file  
 1436 and ~~or~~ how a voter can obtain a voter registration application  
 1437 ~~form~~ from a voter registration official ~~the supervisor~~ to do so.

1438       (4) All signature updates for use in verifying absentee  
 1439 and provisional ballots must be received by the appropriate  
 1440 supervisor of elections no later than the start of the  
 1441 canvassing of absentee ballots by the canvassing board. The  
 1442 signature on file at the start of the canvass of the absentees

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1443 is the signature that shall be used in verifying the signature  
 1444 on the absentee and provisional ballot certificates.

1445 Section 23. Section 98.081, Florida Statutes, is amended  
 1446 to read:

1447 98.081 Names removed from the statewide voter registration  
 1448 system books; restrictions on reregistering; recordkeeping;  
 1449 restoration of erroneously or illegally removed names.--

1450 (1) Any person who requested that his or her name be  
 1451 removed from the statewide voter registration system books  
 1452 between the book-closing date of the ~~first~~ primary and the date  
 1453 of the ~~second~~ primary may not register in a different political  
 1454 party until after the date of the ~~second~~ primary election.

1455 (2) When the name of any elector is removed from the  
 1456 statewide voter registration system books pursuant to s. 98.065  
 1457 ~~or, s. 98.075, or s. 98.093~~, the elector's original registration  
 1458 application form shall be retained by the supervisor of  
 1459 elections having custody of the application filed alphabetically  
 1460 ~~in the office of the supervisor~~. As alternatives, registrations  
 1461 removed from the statewide voter registration system books may  
 1462 be microfilmed and such microfilms substituted for the original  
 1463 registration applications forms; or, when voter registration  
 1464 information, including the voter's signature, is maintained  
 1465 digitally or on electronic, magnetic, or optic media, such  
 1466 stored information may be substituted for the original  
 1467 registration application form. Such microfilms or stored  
 1468 information shall be retained by the supervisor of elections  
 1469 having in the custody of the supervisor. In the event the  
 1470 original registration applications forms are microfilmed or

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1471 maintained digitally or on electronic or other media, such  
 1472 originals may be destroyed in accordance with the schedule  
 1473 approved by the Bureau of Archives and Records Management of the  
 1474 Division of Library and Information Services of the department.

1475 (3) When the name of any elector has been erroneously or  
 1476 illegally removed from the statewide voter registration system  
 1477 ~~books~~, the name of the elector shall be restored by a voter  
 1478 registration official ~~the supervisor~~ upon satisfactory proof,  
 1479 even though the registration period for that election is closed.

1480 Section 24. Section 98.093, Florida Statutes, is amended  
 1481 to read:

1482 98.093 Duty of officials to furnish lists of deceased  
 1483 persons, persons adjudicated mentally incapacitated, and persons  
 1484 convicted of a felony.--

1485 (1) In order to ensure the maintenance of accurate and  
 1486 current voter registration records, it is necessary for the  
 1487 department to receive certain information from state and federal  
 1488 officials and entities. The department and supervisors of  
 1489 elections shall use the information provided from the sources in  
 1490 subsection (2) to maintain the voter registration records.

1491 (2) To the maximum extent feasible, state and local  
 1492 government agencies shall facilitate provision of information  
 1493 and access to data to the department, including, but not limited  
 1494 to, databases that contain reliable criminal records and records  
 1495 of deceased persons. State and local government agencies that  
 1496 provide such data shall do so without charge if the direct cost  
 1497 incurred by those agencies is not significant.

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 HB 1589, Engrossed 3

2005 Legislature

1498        (a) The Department of Health shall furnish monthly to the  
 1499 department ~~each supervisor of elections~~ a list containing the  
 1500 name, address, date of birth, date of death, social security  
 1501 number, race, and sex of each deceased person 17 years of age or  
 1502 older ~~who was a resident of such supervisor's county.~~

1503        (b)(2) Each clerk of the circuit court shall furnish  
 1504 monthly to the department, at least once each month, deliver to  
 1505 ~~each supervisor of elections~~ a list of those persons who have  
 1506 been adjudicated mentally incapacitated with respect to voting  
 1507 during the preceding calendar month, a list of those persons  
 1508 whose mental capacity with respect to voting has been restored  
 1509 during the preceding calendar month, and a list of those persons  
 1510 who have returned signed jury notices during the preceding  
 1511 months to the clerk of the circuit court indicating a change of  
 1512 address. Each list shall include stating the name, address, date  
 1513 of birth, race, and sex, and, whichever is available, the  
 1514 Florida driver's license number, Florida identification card  
 1515 number, or social security number of each such person ~~convicted~~  
 1516 ~~of a felony during the preceding calendar month who was a~~  
 1517 ~~resident of that supervisor's county, a list stating the name,~~  
 1518 ~~address, date of birth, race, and sex of each person adjudicated~~  
 1519 ~~mentally incapacitated with respect to voting during the~~  
 1520 ~~preceding calendar month who was a resident of that supervisor's~~  
 1521 ~~county, and a list stating the name, address, date of birth,~~  
 1522 ~~race, and sex of each person whose mental capacity with respect~~  
 1523 ~~to voting has been restored who was a resident of that~~  
 1524 ~~supervisor's county.~~

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1525        ~~(c)(3)~~ Upon receipt of information from the United States  
 1526 Attorney, listing persons convicted of a felony in federal  
 1527 court, the department shall use such information to identify  
 1528 registered voters or applicants for voter registration who may  
 1529 be potentially ineligible based on information provided in  
 1530 accordance with s. 98.075 ~~immediately forward such information~~  
 1531 ~~to the supervisor of elections for the county where the offender~~  
 1532 ~~resides.~~

1533        (d) The Department of Law Enforcement shall identify those  
 1534 persons who have been convicted of a felony who appear in the  
 1535 voter registration records supplied by the statewide voter  
 1536 registration system, in a time and manner that enables the  
 1537 department to meet its obligations under state and federal law.

1538        (e) The Board of Executive Clemency shall furnish monthly  
 1539 to the department a list of those persons granted clemency in  
 1540 the preceding month or any updates to prior records which have  
 1541 occurred in the preceding month. The list shall contain the  
 1542 Board of Executive Clemency case number, name, address, date of  
 1543 birth, race, sex, social security number, if available, and  
 1544 references to record identifiers assigned by the Department of  
 1545 Corrections, a unique identifier of each clemency case, and the  
 1546 effective date of clemency of each person.

1547        (f) The Department of Corrections shall furnish monthly to  
 1548 the department a list of those persons transferred to the  
 1549 Department of Corrections in the preceding month or any updates  
 1550 to prior records which have occurred in the preceding month. The  
 1551 list shall contain the name, address, date of birth, race, sex,  
 1552 social security number, Department of Corrections record



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1553 identification number, and associated Department of Law  
 1554 Enforcement felony conviction record number of each person.

1555 (g) The Department of Highway Safety and Motor Vehicles  
 1556 shall furnish monthly to the department a list of those persons  
 1557 whose names have been removed from the driver's license database  
 1558 because they have been licensed in another state. The list shall  
 1559 contain the name, address, date of birth, sex, social security  
 1560 number, and driver's license number of each such person.

1561 ~~(4) Upon receipt of any such list, the supervisor shall~~  
 1562 ~~remove from the registration books the name of any person listed~~  
 1563 ~~who is deceased, convicted of a felony, or adjudicated mentally~~  
 1564 ~~incapacitated with respect to voting. A person who has had his~~  
 1565 ~~or her mental capacity with respect to voting restored or who~~  
 1566 ~~has had his or her right to vote restored after conviction of a~~  
 1567 ~~felony shall be required to reregister to have his or her name~~  
 1568 ~~restored to the registration books.~~

1569 (3)~~(5)~~ Nothing in this section shall limit or restrict the  
 1570 supervisor in his or her duty to remove the names of ~~such~~  
 1571 persons from the statewide voter registration system pursuant to  
 1572 s. 98.075(7) based upon books after verification of information  
 1573 received from other sources.

1574 Section 25. Effective August 1, 2006, section 98.0981,  
 1575 Florida Statutes, is created to read:

1576 98.0981 Statewide voter registration database.--Within 75  
 1577 days after a general election or within 15 days after all  
 1578 supervisors of elections have updated voter history information,  
 1579 whichever occurs later, the department shall send to the  
 1580 President of the Senate, the Speaker of the House of

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1581 Representatives, the Senate Minority Leader, and the House  
 1582 Minority Leader a report in electronic format of all voters  
 1583 qualified to vote in the election or primary. The report shall  
 1584 include for each voter the code used by the department to  
 1585 uniquely identify the voter; all information provided in the  
 1586 uniform statewide voter registration application pursuant to s.  
 1587 97.052(2), except what is specifically identified as  
 1588 confidential or exempt from public-records requirements; the  
 1589 date of registration; the representative district, senatorial  
 1590 district, congressional district, and precinct in which the  
 1591 voter resides; and whether the voter voted at the precinct  
 1592 location, voted by early vote, voted by absentee ballot,  
 1593 attempted to vote by absentee ballot that was not counted,  
 1594 attempted to vote by provisional ballot that was not counted, or  
 1595 did not vote.

1596 Section 26. Section 98.212, Florida Statutes, is amended  
 1597 to read:

1598 98.212 Department and supervisors to furnish statistical  
 1599 and other information.--

1600 (1) (a) Upon written request, the department and any  
 1601 supervisor of the respective counties ~~supervisors~~ shall, as  
 1602 promptly as possible, furnish to recognized public or private  
 1603 universities and senior colleges within the state, to state or  
 1604 county governmental agencies, and to recognized political party  
 1605 committees statistical information for the purpose of analyzing  
 1606 election returns and results.

1607 (b) The department and any supervisor ~~Supervisors~~ may  
 1608 require reimbursement for any part or all of the actual expenses

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1609 of supplying any information requested under paragraph (a). For  
 1610 the purposes of this subsection, the department and supervisors  
 1611 may use the services of any research and statistical personnel  
 1612 that may be supplied.

1613 (c) Lists of names submitted to the department and any  
 1614 supervisor of the respective counties ~~supervisors~~ for indication  
 1615 of registration or nonregistration or of party affiliation shall  
 1616 be processed at any time at cost, except that in no case shall  
 1617 the charge exceed 10 cents for each name on which the  
 1618 information is furnished.

1619 (2) The supervisors shall provide information as requested  
 1620 by the department for program evaluation and reporting to the  
 1621 ~~Federal-Election Assistance~~ Assistance Commission pursuant to federal law  
 1622 ~~the National Voter Registration Act of 1993.~~

1623 Section 27. Section 98.461, Florida Statutes, is amended  
 1624 to read:

1625 98.461 Registration application form, precinct register;  
 1626 contents.--

1627 (1) A registration application form, approved by the  
 1628 Department of State, containing the information required in s.  
 1629 97.052 shall be retained by the supervisor of elections of the  
 1630 county of the applicant's registration ~~filed alphabetically in~~  
 1631 ~~the office of the supervisor as the master list of electors of~~  
 1632 ~~the county.~~ However, the registration application forms may be  
 1633 microfilmed and such microfilm ~~microfilms~~ substituted for the  
 1634 original registration application forms; or, when voter  
 1635 registration information, including the voter's signature, is  
 1636 maintained digitally or on electronic, magnetic, or optic media,

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1637 such stored information may be substituted for the original  
 1638 registration application form. Such microfilms or stored  
 1639 information shall be retained in the custody of the supervisor  
 1640 of elections of the county of the applicant's registration. In  
 1641 the event the original registration applications forms are  
 1642 microfilmed or maintained digitally or on electronic or other  
 1643 media, such originals may be destroyed in accordance with the  
 1644 schedule approved by the Bureau of Archives and Records  
 1645 Management of the Division of Library and Information Services  
 1646 of the Department of State. ~~As an alternative, the information~~  
 1647 ~~from the registration form, including the signature, may be~~  
 1648 ~~electronically reproduced and stored as provided in s. 98.451.~~

1649 (2) A computer printout or electronic database shall be  
 1650 used at the polls as a precinct register ~~in lieu of the~~  
 1651 ~~registration books~~. The precinct register shall contain the date  
 1652 of the election, the precinct number, and the following  
 1653 information concerning each registered elector: last name, first  
 1654 name, ~~and~~ middle name or initial, and suffix; party affiliation;  
 1655 residence address; registration number; date of birth; sex, if  
 1656 provided; race, if provided; whether the voter needs assistance  
 1657 in voting; and such other additional information as to readily  
 1658 identify the elector. The precinct register shall also contain a  
 1659 space for the elector's signature and a space for the initials  
 1660 of the witnessing clerk or inspector or an electronic device may  
 1661 be provided for this purpose.

1662 Section 28. Effective January 1, 2007, section 100.371,  
 1663 Florida Statutes, as amended by section 9 of chapter 2002-281,  
 1664 Laws of Florida, is amended to read:

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1665 |           100.371 Initiatives; procedure for placement on ballot.--  
 1666 |           (1) Constitutional amendments proposed by initiative shall  
 1667 | be placed on the ballot for the general election provided the  
 1668 | initiative has been filed with ~~occurring in excess of 90 days~~  
 1669 | ~~from the certification of ballot position by~~ the Secretary of  
 1670 | State no later than February 1 of the year the general election  
 1671 | is held. A petition shall be deemed to be filed with the  
 1672 | Secretary of State upon the date the secretary determines that  
 1673 | the petition has been signed by the constitutionally required  
 1674 | number of electors.  
 1675 |           ~~(2) Such certification shall be issued when the Secretary~~  
 1676 | ~~of State has received verification certificates from the~~  
 1677 | ~~supervisors of elections indicating that the requisite number~~  
 1678 | ~~and distribution of valid signatures of electors have been~~  
 1679 | ~~submitted to and verified by the supervisors. Every signature~~  
 1680 | ~~shall be dated when made and shall be valid for a period of 4~~  
 1681 | ~~years following such date, provided all other requirements of~~  
 1682 | ~~law are complied with.~~  
 1683 |           (2)(3) The sponsor of an initiative amendment shall, prior  
 1684 | to obtaining any signatures, register as a political committee  
 1685 | pursuant to s. 106.03 and submit the text of the proposed  
 1686 | amendment to the Secretary of State, with the form on which the  
 1687 | signatures will be affixed, and shall obtain the approval of the  
 1688 | Secretary of State of such form. The Secretary of State shall  
 1689 | adopt rules pursuant to s. 120.54 prescribing the style and  
 1690 | requirements of such form. Upon filing with the Secretary of  
 1691 | State, the text of the proposed amendment and all forms filed in

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1692 connection with this section must, upon request, be made  
 1693 available in alternative formats.

1694 (3)-(4) Each signature shall be dated when made and shall  
 1695 be valid for a period of 4 years following such date, provided  
 1696 all other requirements of law are met. The sponsor shall submit  
 1697 signed and dated forms to the appropriate supervisor of  
 1698 elections for verification as to the number of registered  
 1699 electors whose valid signatures appear thereon. The supervisor  
 1700 shall promptly verify the signatures upon payment of the fee  
 1701 required by s. 99.097. The supervisor shall promptly record each  
 1702 valid signature in the statewide voter registration system in  
 1703 the manner prescribed by the Secretary of State. ~~Upon completion~~  
 1704 ~~of verification, the supervisor shall execute a certificate~~  
 1705 ~~indicating the total number of signatures checked, the number of~~  
 1706 ~~signatures verified as valid and as being of registered~~  
 1707 ~~electors, and the distribution by congressional district. This~~  
 1708 ~~certificate shall be immediately transmitted to the Secretary of~~  
 1709 ~~State.~~ The supervisor shall retain the signature forms for at  
 1710 least 1 year following the election in which the issue appeared  
 1711 on the ballot or until the Division of Elections notifies the  
 1712 supervisors of elections that the committee which circulated the  
 1713 petition is no longer seeking to obtain ballot position.

1714 (4)-(5) The Secretary of State shall determine from the  
 1715 signatures verified by the ~~verification certificates received~~  
 1716 ~~from~~ supervisors of elections and recorded in the statewide  
 1717 voter registration system the total number of verified valid  
 1718 signatures and the distribution of such signatures by  
 1719 congressional districts. Upon a determination that the requisite

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1720 number and distribution of valid signatures have been obtained,  
 1721 the secretary shall issue a certificate of ballot position for  
 1722 that proposed amendment and shall assign a designating number  
 1723 pursuant to s. 101.161. ~~A petition shall be deemed to be filed~~  
 1724 ~~with the Secretary of State upon the date of the receipt by the~~  
 1725 ~~secretary of a certificate or certificates from supervisors of~~  
 1726 ~~elections indicating the petition has been signed by the~~  
 1727 ~~constitutionally required number of electors.~~

1728 (5)~~(6)~~(a) Within 45 days after receipt of a proposed  
 1729 revision or amendment to the State Constitution by initiative  
 1730 petition from the Secretary of State ~~or, within 30 days after~~  
 1731 ~~such receipt if receipt occurs 120 days or less before the~~  
 1732 ~~election at which the question of ratifying the amendment will~~  
 1733 ~~be presented,~~ the Financial Impact Estimating Conference shall  
 1734 complete an analysis and financial impact statement to be placed  
 1735 on the ballot of the estimated increase or decrease in any  
 1736 revenues or costs to state or local governments resulting from  
 1737 the proposed initiative. The Financial Impact Estimating  
 1738 Conference shall submit the financial impact statement to the  
 1739 Attorney General and Secretary of State.

1740 (b)1. The Financial Impact Estimating Conference shall  
 1741 provide an opportunity for any proponents or opponents of the  
 1742 initiative to submit information and may solicit information or  
 1743 analysis from any other entities or agencies, including the  
 1744 Office of Economic and Demographic Research. All meetings of the  
 1745 Financial Impact Estimating Conference shall be open to the  
 1746 public as provided in chapter 286.

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

1747           2. The Financial Impact Estimating Conference is  
1748 established to review, analyze, and estimate the financial  
1749 impact of amendments to or revisions of the State Constitution  
1750 proposed by initiative. The Financial Impact Estimating  
1751 Conference shall consist of four principals: one person from the  
1752 Executive Office of the Governor; the coordinator of the Office  
1753 of Economic and Demographic Research, or his or her designee;  
1754 one person from the professional staff of the Senate; and one  
1755 person from the professional staff of the House of  
1756 Representatives. Each principal shall have appropriate fiscal  
1757 expertise in the subject matter of the initiative. A Financial  
1758 Impact Estimating Conference may be appointed for each  
1759 initiative.

1760           3. Principals of the Financial Impact Estimating  
1761 Conference shall reach a consensus or majority concurrence on a  
1762 clear and unambiguous financial impact statement, no more than  
1763 75 words in length, and immediately submit the statement to the  
1764 Attorney General. Nothing in this subsection prohibits the  
1765 Financial Impact Estimating Conference from setting forth a  
1766 range of potential impacts in the financial impact statement.  
1767 Any financial impact statement that a court finds not to be in  
1768 accordance with this section shall be remanded solely to the  
1769 Financial Impact Estimating Conference for redrafting. The  
1770 Financial Impact Estimating Conference shall redraft the  
1771 financial impact statement within 15 days.

1772           4. If the members of the Financial Impact Estimating  
1773 Conference are unable to agree on the statement required by this  
1774 subsection, or if the Supreme Court has rejected the initial



## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

1775 submission by the Financial Impact Estimating Conference and no  
1776 redraft has been approved by the Supreme Court by 5 p.m. on the  
1777 75th day before the election, the following statement shall  
1778 appear on the ballot pursuant to s. 101.161(1): "The financial  
1779 impact of this measure, if any, cannot be reasonably determined  
1780 at this time."

1781 (c) The financial impact statement must be separately  
1782 contained and be set forth after the ballot summary as required  
1783 in s. 101.161(1).

1784 (d)1. Any financial impact statement that the Supreme  
1785 Court finds not to be in accordance with this subsection shall  
1786 be remanded solely to the Financial Impact Estimating Conference  
1787 for redrafting, provided the court's advisory opinion is  
1788 rendered at least 75 days before the election at which the  
1789 question of ratifying the amendment will be presented. The  
1790 Financial Impact Estimating Conference shall prepare and adopt a  
1791 revised financial impact statement no later than 5 p.m. on the  
1792 15th day after the date of the court's opinion.

1793 2. If, by 5 p.m. on the 75th day before the election, the  
1794 Supreme Court has not issued an advisory opinion on the initial  
1795 financial impact statement prepared by the Financial Impact  
1796 Estimating Conference for an initiative amendment that otherwise  
1797 meets the legal requirements for ballot placement, the financial  
1798 impact statement shall be deemed approved for placement on the  
1799 ballot.

1800 3. In addition to the financial impact statement required  
1801 by this subsection, the Financial Impact Estimating Conference  
1802 shall draft an initiative financial information statement. The

## ENROLLED

HB 1589, Engrossed 3

2005 Legislature

1803 initiative financial information statement should describe in  
1804 greater detail than the financial impact statement any projected  
1805 increase or decrease in revenues or costs that the state or  
1806 local governments would likely experience if the ballot measure  
1807 were approved. If appropriate, the initiative financial  
1808 information statement may include both estimated dollar amounts  
1809 and a description placing the estimated dollar amounts into  
1810 context. The initiative financial information statement must  
1811 include both a summary of not more than 500 words and additional  
1812 detailed information that includes the assumptions that were  
1813 made to develop the financial impacts, workpapers, and any other  
1814 information deemed relevant by the Financial Impact Estimating  
1815 Conference.

1816 4. The Department of State shall have printed, and shall  
1817 furnish to each supervisor of elections, a copy of the summary  
1818 from the initiative financial information statements. The  
1819 supervisors shall have the summary from the initiative financial  
1820 information statements available at each polling place and at  
1821 the main office of the supervisor of elections upon request.

1822 5. The Secretary of State and the Office of Economic and  
1823 Demographic Research shall make available on the Internet each  
1824 initiative financial information statement in its entirety. In  
1825 addition, each supervisor of elections whose office has a  
1826 website shall post the summary from each initiative financial  
1827 information statement on the website. Each supervisor shall  
1828 include the Internet addresses for the information statements on  
1829 the Secretary of State's and the Office of Economic and

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1830 Demographic Research's websites in the publication or mailing  
 1831 required by s. 101.20.

1832 (6)~~(7)~~ The Department of State may adopt rules in  
 1833 accordance with s. 120.54 to carry out the provisions of  
 1834 subsections (1) - (5) ~~(1) - (6)~~.

1835 Section 29. Subsection (3) of section 101.001, Florida  
 1836 Statutes, is amended to read:

1837 101.001 Precincts and polling places; boundaries.--

1838 (3) (a) Each supervisor of elections shall maintain a  
 1839 suitable map drawn to a scale no smaller than 3 miles to the  
 1840 inch and clearly delineating all major observable features such  
 1841 as roads, streams, and railway lines and showing the current  
 1842 geographical boundaries of each precinct, representative  
 1843 district, and senatorial district, and other type of district in  
 1844 the county subject to the elections process in this code.

1845 (b) The supervisor of elections shall notify the Secretary  
 1846 of State in writing within 30 days after ~~of~~ any reorganization  
 1847 of precincts and shall furnish a copy of the map showing the  
 1848 current geographical boundaries and designation of each new  
 1849 precinct. However, if precincts are composed of whole census  
 1850 blocks, the supervisor may furnish, in lieu of a copy of the  
 1851 map, a list, in an electronic format prescribed by the  
 1852 Department of State, associating each census block in the county  
 1853 with its precinct.

1854 (c) Any precinct established or altered under the  
 1855 provisions of this section shall consist of areas bounded on all  
 1856 sides only by:

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

- 1857 |       1. Census block boundaries from the most recent United
- 1858 | States Census;
- 1859 |       2. Governmental unit boundaries reported in the most
- 1860 | recent Boundary and Annexation Survey published by the United
- 1861 | States Census Bureau;
- 1862 |       3. Visible features that are readily distinguishable upon
- 1863 | the ground, such as streets, railroads, tracks, streams, and
- 1864 | lakes, and that are indicated upon current census maps, official
- 1865 | Department of Transportation maps, official municipal maps,
- 1866 | official county maps, or a combination of such maps;
- 1867 |       4. Boundaries of public parks, public school grounds, or
- 1868 | churches; or
- 1869 |       5. Boundaries of counties, incorporated municipalities, or
- 1870 | other political subdivisions that meet criteria established by
- 1871 | the United States Census Bureau for block boundaries.

1872 |       (d) Until July 1, 2012, a supervisor may apply for and  
 1873 | obtain from the Secretary of State a waiver of the requirement  
 1874 | in paragraph (c).

1875 |       Section 30. Subsections (1) and (3) of section 101.043,  
 1876 | Florida Statutes, are amended to read:

1877 |       101.043 Identification required at polls.--

1878 |       (1) The precinct register, as prescribed in s. 98.461,  
 1879 | shall be used at the polls ~~in lieu of the registration books~~ for  
 1880 | the purpose of identifying the elector at the polls prior to  
 1881 | allowing him or her to vote. The clerk or inspector shall  
 1882 | require each elector, upon entering the polling place, to  
 1883 | present one of the following a current and valid picture  
 1884 | identifications:

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

- 1885        (a) Florida driver's license.
- 1886        (b) Florida identification card issued by the Department
- 1887 of Highway Safety and Motor Vehicles.
- 1888        (c) United States passport.
- 1889        (d) Employee badge or identification.
- 1890        (e) Buyer's club identification.
- 1891        (f) Debit or credit card.
- 1892        (g) Military identification.
- 1893        (h) Student identification.
- 1894        (i) Retirement center identification.
- 1895        (j) Neighborhood association identification.
- 1896        (k) Public assistance identification as provided in s.
- 1897 97.0535(3)(a).

1899 If the picture identification does not contain the signature of  
 1900 the voter, an additional identification that provides the  
 1901 voter's signature shall be required. The elector shall sign his  
 1902 or her name in the space provided on the precinct register or on  
 1903 an electronic device provided for recording the voter's  
 1904 signature. ~~and~~ The clerk or inspector shall compare the  
 1905 signature with that on the identification provided by the  
 1906 elector and enter his or her initials in the space provided on  
 1907 the precinct register or on an electronic device provided for  
 1908 that purpose and allow the elector to vote if the clerk or  
 1909 inspector is satisfied as to the identity of the elector.

1910        (3) If the elector who fails to furnish the required  
 1911 identification is an elector subject to s. 97.0535 ~~a first-time~~  
 1912 ~~voter who registered by mail~~ and has not provided the required

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1913 | identification to a voter registration official ~~the supervisor~~  
 1914 | ~~of elections~~ prior to election day, the elector shall be allowed  
 1915 | to vote a provisional ballot. The canvassing board shall  
 1916 | determine the validity of the ballot pursuant to s. 101.048(2).

1917 | Section 31. Subsections (2) and (3) of section 101.045,  
 1918 | Florida Statutes, are amended to read:

1919 | 101.045 Electors must be registered in precinct;  
 1920 | provisions for residence or name change.--

1921 | (2) (a) An elector who moves from the precinct ~~within the~~  
 1922 | ~~county~~ in which the elector is registered may be permitted to  
 1923 | vote in the precinct to which he or she has moved his or her  
 1924 | legal residence, provided such elector completes an affirmation  
 1925 | in substantially the following form:

Change of Legal Residence of Registered  
 Voter

1929 | Under penalties for false swearing, I, (Name of voter) , swear  
 1930 | (or affirm) that the former address of my legal residence was  
 1931 | (Address of legal residence) in the municipality of \_\_\_\_\_, in  
 1932 | \_\_\_\_\_ County, Florida, and I was registered to vote in the \_\_\_\_\_  
 1933 | precinct of \_\_\_\_\_ County, Florida; that I have not voted in the  
 1934 | precinct of my former registration in this election; that I now  
 1935 | reside at (Address of legal residence) in the Municipality of  
 1936 | \_\_\_\_\_, in \_\_\_\_\_ County, Florida, and am therefore eligible to  
 1937 | vote in the \_\_\_\_\_ precinct of \_\_\_\_\_ County, Florida; and I  
 1938 | further swear (or affirm) that I am otherwise legally registered  
 1939 | and entitled to vote.

(Signature of voter whose address of legal

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1941 | residence has changed)

1942 | (b) An elector whose name changes because of marriage or  
 1943 | other legal process may be permitted to vote, provided such  
 1944 | elector completes an affirmation in substantially the following  
 1945 | form:

1946 | Change of Name of Registered  
 1947 | Voter

1948 |  
 1949 | Under penalties for false swearing, I, (New name of voter) ,  
 1950 | swear (or affirm) that my name has been changed  
 1951 | because of marriage or other legal process. My former name and  
 1952 | address of legal residence appear on the registration records  
 1953 | ~~books~~ of precinct \_\_\_\_\_ as follows:

1954 | Name  
 1955 | Address  
 1956 | Municipality  
 1957 | County  
 1958 | Florida, Zip

1959 | My present name and address of legal residence are as follows:

1960 | Name  
 1961 | Address  
 1962 | Municipality  
 1963 | County  
 1964 | Florida, Zip

1965 | and I further swear (or affirm) that I am otherwise legally  
 1966 | registered and entitled to vote.

1967 | (Signature of voter whose name has changed)

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

1968           (c) Such affirmation, when completed and presented at the  
 1969 precinct in which such elector is entitled to vote, and upon  
 1970 verification of the elector's registration, shall entitle such  
 1971 elector to vote as provided in this subsection. If the elector's  
 1972 eligibility to vote cannot be determined, he or she shall be  
 1973 entitled to vote a provisional ballot, subject to the  
 1974 requirements and procedures in s. 101.048. Upon receipt of an  
 1975 affirmation certifying a change in address of legal residence or  
 1976 name, the supervisor shall as soon as practicable make the  
 1977 necessary changes in the statewide voter registration system  
 1978 ~~records of the county~~ to indicate the change in address of legal  
 1979 residence or name of such elector.

1980           (d) Instead of the affirmation contained in paragraph (a)  
 1981 or paragraph (b), an elector may complete a voter registration  
 1982 application that indicates the change of name or change of  
 1983 address of legal residence.

1984           ~~(e) A request for an absentee ballot pursuant to s. 101.62~~  
 1985 ~~which indicates that the elector has had a change of address of~~  
 1986 ~~legal residence from that in the supervisor's records shall be~~  
 1987 ~~sufficient as the notice to the supervisor of change of address~~  
 1988 ~~of legal residence required by this section. Upon receipt of~~  
 1989 ~~such request for an absentee ballot from an elector who has~~  
 1990 ~~changed his or her address of legal residence, the supervisor~~  
 1991 ~~shall provide the elector with the proper ballot for the~~  
 1992 ~~precinct in which the elector then has his or her legal~~  
 1993 ~~residence.~~

1994           ~~(3) When an elector's name does not appear on the~~  
 1995 ~~registration books of the election precinct in which the elector~~



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HB 1589, Engrossed 3

2005 Legislature

1996 ~~is registered, the elector may have his or her name restored if~~  
 1997 ~~the supervisor is otherwise satisfied that the elector is~~  
 1998 ~~validly registered, that the elector's name has been erroneously~~  
 1999 ~~omitted from the books, and that the elector is entitled to have~~  
 2000 ~~his or her name restored. The supervisor, if he or she is~~  
 2001 ~~satisfied as to the elector's previous registration, shall allow~~  
 2002 ~~such person to vote and shall thereafter issue a duplicate~~  
 2003 ~~registration identification card.~~

2004 Section 32. Subsection (1) of section 101.048, Florida  
 2005 Statutes, is amended to read:

2006 101.048 Provisional ballots.--

2007 (1) At all elections, a voter claiming to be properly  
 2008 registered in the state ~~county~~ and eligible to vote at the  
 2009 precinct in the election, but whose eligibility cannot be  
 2010 determined, and other persons specified in the code shall be  
 2011 entitled to vote a provisional ballot. Once voted, the  
 2012 provisional ballot shall be placed in a secrecy envelope and  
 2013 thereafter sealed in a provisional ballot envelope. The  
 2014 provisional ballot shall be deposited in a ballot box. All  
 2015 provisional ballots shall remain sealed in their envelopes for  
 2016 return to the supervisor of elections. The department shall  
 2017 prescribe the form of the provisional ballot envelope.

2018 Section 33. Effective January 1, 2007, subsection (1) of  
 2019 section 101.161, Florida Statutes, is amended to read:

2020 101.161 Referenda; ballots.--

2021 (1) Whenever a constitutional amendment or other public  
 2022 measure is submitted to the vote of the people, the substance of  
 2023 such amendment or other public measure shall be printed in clear

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2024 and unambiguous language on the ballot after the list of  
 2025 candidates, followed by the word "yes" and also by the word  
 2026 "no," and shall be styled in such a manner that a "yes" vote  
 2027 will indicate approval of the proposal and a "no" vote will  
 2028 indicate rejection. The wording of the substance of the  
 2029 amendment or other public measure and the ballot title to appear  
 2030 on the ballot shall be embodied in the joint resolution,  
 2031 constitutional revision commission proposal, constitutional  
 2032 convention proposal, taxation and budget reform commission  
 2033 proposal, or enabling resolution or ordinance. Except for  
 2034 amendments and ballot language proposed by joint resolution, the  
 2035 substance of the amendment or other public measure shall be an  
 2036 explanatory statement, not exceeding 75 words in length, of the  
 2037 chief purpose of the measure. In addition, for every amendment  
 2038 proposed by initiative, the ballot shall include, following the  
 2039 ballot summary, a separate financial impact statement concerning  
 2040 the measure prepared by the Financial Impact Estimating  
 2041 Conference in accordance with s. 100.371(5)~~(6)~~. The ballot title  
 2042 shall consist of a caption, not exceeding 15 words in length, by  
 2043 which the measure is commonly referred to or spoken of.

2044 Section 34. Subsection (2) of section 101.56062, Florida  
 2045 Statutes, as created by chapter 2002-281, Laws of Florida, is  
 2046 amended to read:

2047 101.56062 Standards for accessible voting systems.--

2048 (2) Such voting system must include at least one  
 2049 accessible voter interface device installed in each polling  
 2050 place ~~precinct~~ which meets the requirements of this section,  
 2051 except for paragraph (1) (d).

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2052 Section 35. Subsection (1) of section 101.5608, Florida  
 2053 Statutes, is amended to read:

2054 101.5608 Voting by electronic or electromechanical method;  
 2055 procedures.--

2056 (1) Each elector desiring to vote shall be identified to  
 2057 the clerk or inspector of the election as a duly qualified  
 2058 elector of such election and shall sign his or her name on the  
 2059 ~~in ink or indelible pencil to an identification blank, signature~~  
 2060 ~~slip,~~ precinct register, or other form or device provided by the  
 2061 supervisor ballot stub on which the ballot serial number may be  
 2062 ~~recorded.~~ The inspector shall compare the signature with the  
 2063 signature on the identification provided by the elector. If the  
 2064 inspector is reasonably sure that the person is entitled to  
 2065 vote, the inspector shall provide the person with a ballot.

2066 Section 36. Effective August 1, 2006, section 101.573,  
 2067 Florida Statutes, is created to read:

2068 101.573 Record of votes by precinct.--

2069 (1) Within 75 days after the date of a municipal election  
 2070 or runoff, whichever occurs later, a presidential preference  
 2071 primary, or a general election, the supervisor of elections  
 2072 shall file with the Department of State precinct-level election  
 2073 results for that election cycle, including any primary  
 2074 elections. Precinct-level election results shall record for each  
 2075 precinct the returns of ballots cast at the precinct location to  
 2076 which have been added the returns of absentee and early ballots  
 2077 cast by voters registered in the precinct.

2078 (2) The Department of State shall adopt rules pursuant to  
 2079 ss. 120.536(1) and 120.54 prescribing the form by which

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 HB 1589, Engrossed 3

2005 Legislature

2080 supervisors of elections shall submit election results for each  
 2081 precinct.

2082 Section 37. Effective January 1, 2007, paragraph (a) of  
 2083 subsection (4) of section 101.62, Florida Statutes, is amended  
 2084 to read:

2085 101.62 Request for absentee ballots.--

2086 (4) (a) To each absent qualified elector overseas who has  
 2087 requested an absentee ballot, the supervisor of elections shall,  
 2088 not fewer than 35 days before the first primary election, mail  
 2089 an absentee ballot. Not fewer than 45 days before the second  
 2090 primary and general election, the supervisor of elections shall  
 2091 mail an advance absentee ballot to those persons requesting  
 2092 ballots for such elections. The advance absentee ballot for the  
 2093 second primary shall be the same as the first primary absentee  
 2094 ballot as to the names of candidates, except that for any  
 2095 offices where there are only two candidates, those offices and  
 2096 all political party executive committee offices shall be  
 2097 omitted. Except as provided in ss. 99.063(4) and 100.371(5)~~(6)~~,  
 2098 the advance absentee ballot for the general election shall be as  
 2099 specified in s. 101.151, except that in the case of candidates  
 2100 of political parties where nominations were not made in the  
 2101 first primary, the names of the candidates placing first and  
 2102 second in the first primary election shall be printed on the  
 2103 advance absentee ballot. The advance absentee ballot or advance  
 2104 absentee ballot information booklet shall be of a different  
 2105 color for each election and also a different color from the  
 2106 absentee ballots for the first primary, second primary, and  
 2107 general election. The supervisor shall mail an advance absentee

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2108 | ballot for the second primary and general election to each  
 2109 | qualified absent elector for whom a request is received until  
 2110 | the absentee ballots are printed. The supervisor shall enclose  
 2111 | with the advance second primary absentee ballot and advance  
 2112 | general election absentee ballot an explanation stating that the  
 2113 | absentee ballot for the election will be mailed as soon as it is  
 2114 | printed; and, if both the advance absentee ballot and the  
 2115 | absentee ballot for the election are returned in time to be  
 2116 | counted, only the absentee ballot will be counted. The  
 2117 | Department of State may prescribe by rule the requirements for  
 2118 | preparing and mailing absentee ballots to absent qualified  
 2119 | electors overseas.

2120 |       Section 38. Subsection (3) is added to section 101.64,  
 2121 | Florida Statutes, to read:

2122 |       101.64 Delivery of absentee ballots; envelopes; form.--

2123 |       (3) The supervisor shall mark, code, indicate on, or  
 2124 | otherwise track the precinct of the absent elector for each  
 2125 | absentee ballot.

2126 |       Section 39. Paragraph (a) of subsection (1) of section  
 2127 | 101.657, Florida Statutes, is amended to read:

2128 |       101.657 Early voting.--

2129 |       (1) (a) The supervisor of elections shall allow an elector  
 2130 | to vote early in the main or branch office of the supervisor by  
 2131 | depositing the voted ballot in a voting device used by the  
 2132 | supervisor to collect or tabulate ballots. The supervisor shall  
 2133 | mark, code, indicate on, or otherwise track the voter's precinct  
 2134 | for each early voted ballot. In order for a branch office to be  
 2135 | used for early voting, it shall be a full-service facility of

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2136 | the supervisor and shall have been designated as such at least 1  
 2137 | year prior to the election. The supervisor may designate any  
 2138 | city hall or public library as early voting sites; however, if  
 2139 | so designated, the sites must be geographically located so as to  
 2140 | provide all voters in the county an equal opportunity to cast a  
 2141 | ballot, insofar as is practicable. The results or tabulation may  
 2142 | not be made before the close of the polls on election day.

2143 | Section 40. Section 101.663, Florida Statutes, is amended  
 2144 | to read:

2145 | 101.663 Electors; change of residence to another state.--

2146 | ~~(1) An elector who changes his or her residence to another~~  
 2147 | ~~county in Florida from the county in Florida in which he or she~~  
 2148 | ~~is registered as an elector after the books in the county to~~  
 2149 | ~~which the elector has changed his or her residence are closed~~  
 2150 | ~~for any general, primary, or special election shall be permitted~~  
 2151 | ~~to vote absentee in the county of his or her former residence in~~  
 2152 | ~~that election for President and Vice President, United States~~  
 2153 | ~~Senator, statewide offices, and statewide issues. Such person~~  
 2154 | ~~shall not be permitted to vote in the county of the person's~~  
 2155 | ~~former residence after the general election.~~

2156 | (2) An elector registered in this state who moves his or  
 2157 | her permanent residence to another state and who is prohibited  
 2158 | by the laws of that state from voting for the offices of  
 2159 | President and Vice President of the United States shall be  
 2160 | permitted to vote absentee in the county of his or her former  
 2161 | residence for those offices.

2162 | Section 41. Subsection (1) of section 101.6921, Florida  
 2163 | Statutes, is amended to read:

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2164 101.6921 Delivery of special absentee ballot to certain  
 2165 first-time voters.--

2166 (1) The provisions of this section apply to voters who are  
 2167 subject to the provisions of s. 97.0535 ~~registered to vote by~~  
 2168 ~~mail, who have not previously voted in the county,~~ and who have  
 2169 not provided the identification or certification required by s.  
 2170 97.0535 by the time the absentee ballot is mailed.

2171 Section 42. Section 101.6923, Florida Statutes, is amended  
 2172 to read:

2173 101.6923 Special absentee ballot instructions for certain  
 2174 first-time voters.--

2175 (1) The provisions of this section apply to voters who are  
 2176 subject to the provisions of s. 97.0535 ~~registered to vote by~~  
 2177 ~~mail, who have not previously voted in the county,~~ and who have  
 2178 not provided the identification or information required by s.  
 2179 97.0535 by the time the absentee ballot is mailed.

2180 (2) A voter covered by this section shall be provided with  
 2181 ~~the following~~ printed instructions with his or her absentee  
 2182 ballot in substantially the following form:

2183  
 2184 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING  
 2185 YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS  
 2186 MAY CAUSE YOUR BALLOT NOT TO COUNT.

2187 1. In order to ensure that your absentee ballot will be  
 2188 counted, it should be completed and returned as soon as possible  
 2189 so that it can reach the supervisor of elections of the county  
 2190 in which your precinct is located no later than 7 p.m. on the  
 2191 date of the election.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2192           2. Mark your ballot in secret as instructed on the ballot.  
 2193 You must mark your own ballot unless you are unable to do so  
 2194 because of blindness, disability, or inability to read or write.

2195           3. Mark only the number of candidates or issue choices for  
 2196 a race as indicated on the ballot. If you are allowed to "Vote  
 2197 for One" candidate and you vote for more than one, your vote in  
 2198 that race will not be counted.

2199           4. Place your marked ballot in the enclosed secrecy  
 2200 envelope and seal the envelope.

2201           5. Insert the secrecy envelope into the enclosed envelope  
 2202 bearing the Voter's Certificate. Seal the envelope and  
 2203 completely fill out the Voter's Certificate on the back of the  
 2204 envelope.

2205           a. You must sign your name on the line above (Voter's  
 2206 Signature).

2207           b. If you are an overseas voter, you must include the date  
 2208 you signed the Voter's Certificate on the line above (Date) or  
 2209 your ballot may not be counted.

2210           6. Unless you meet one of the exemptions in Item 7., you  
 2211 must make a copy of one of the following forms of  
 2212 identification:

2213           a. Identification which must include your name and  
 2214 photograph: ~~current and valid Florida driver's license; Florida~~  
 2215 ~~identification card issued by the Department of Highway Safety~~  
 2216 ~~and Motor Vehicles;~~ United States passport; employee badge or  
 2217 identification; buyer's club identification card; debit or  
 2218 credit card; military identification; student identification;  
 2219 retirement center identification; neighborhood association



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2220 identification; ~~entertainment identification~~; or public  
 2221 assistance identification; or  
 2222       b. Identification which shows your name and current  
 2223 residence address: current utility bill, bank statement,  
 2224 government check, paycheck, or government document (excluding  
 2225 voter identification card).  
 2226       7. The identification requirements of Item 6. do not apply  
 2227 if you meet one of the following requirements:  
 2228       a. You are 65 years of age or older.  
 2229       b. You have a temporary or permanent physical disability.  
 2230       c. You are a member of a uniformed service on active duty  
 2231 who, by reason of such active duty, will be absent from the  
 2232 county on election day.  
 2233       d. You are a member of the Merchant Marine who, by reason  
 2234 of service in the Merchant Marine, will be absent from the  
 2235 county on election day.  
 2236       e. You are the spouse or dependent of a member referred to  
 2237 in paragraph c. or paragraph d. who, by reason of the active  
 2238 duty or service of the member, will be absent from the county on  
 2239 election day.  
 2240       f. You are currently residing outside the United States.  
 2241       8. Place the envelope bearing the Voter's Certificate into  
 2242 the mailing envelope addressed to the supervisor. Insert a copy  
 2243 of your identification in the mailing envelope. DO NOT PUT YOUR  
 2244 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
 2245 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
 2246 BALLOT WILL NOT COUNT.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2247 9. Mail, deliver, or have delivered the completed mailing  
 2248 envelope. Be sure there is sufficient postage if mailed.

2249 10. FELONY NOTICE. It is a felony under Florida law to  
 2250 accept any gift, payment, or gratuity in exchange for your vote  
 2251 for a candidate. It is also a felony under Florida law to vote  
 2252 in an election using a false identity or false address, or under  
 2253 any other circumstances making your ballot false or fraudulent.

2254 Section 43. Subsection (3) of section 102.012, Florida  
 2255 Statutes, is amended to read:

2256 102.012 Inspectors and clerks to conduct elections.--

2257 (3) The supervisor shall furnish inspectors of election  
 2258 for each precinct with the list of registered electors for that  
 2259 precinct ~~registration books divided alphabetically as will best~~  
 2260 ~~facilitate the holding of an election.~~ The supervisor shall also  
 2261 furnish to the inspectors of election at the polling place at  
 2262 each precinct in the supervisor's county a sufficient number of  
 2263 forms and blanks for use on election day.

2264 Section 44. Subsections (1), (2), and (3) of section  
 2265 104.013, Florida Statutes, are amended to read:

2266 104.013 Unauthorized use, possession, or destruction of  
 2267 voter information ~~registration identification~~ card.--

2268 (1) It is unlawful for any person knowingly to have in his  
 2269 or her possession any blank, forged, stolen, fictitious,  
 2270 counterfeit, or unlawfully issued voter information ~~registration~~  
 2271 ~~identification~~ card unless possession by such person has been  
 2272 duly authorized by the supervisor.

2273 (2) It is unlawful for any person to barter, trade, sell,  
 2274 or give away a voter information ~~registration identification~~

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2275 | card unless said person has been duly authorized to issue a  
 2276 | voter information ~~registration identification~~ card.

2277 |         (3) It is unlawful for any person willfully to destroy or  
 2278 | deface the information ~~registration identification~~ card of a  
 2279 | duly registered voter.

2280 |         Section 45. Effective upon becoming a law, subsection (7)  
 2281 | is added to section 106.0705, Florida Statutes, to read:

2282 |             106.0705 Electronic filing of campaign treasurer's  
 2283 | reports.--

2284 |         (7) Notwithstanding anything in law to the contrary, any  
 2285 | report required to have been filed under this section for the  
 2286 | period ended March 31, 2005, shall be deemed to have been timely  
 2287 | filed if the report is filed under this section on or before  
 2288 | June 1, 2005.

2289 |         Section 46. Subsection (2) of section 106.08, Florida  
 2290 | Statutes, is amended to read:

2291 |             106.08 Contributions; limitations on.--

2292 |         (2)(a) A candidate may not accept contributions from  
 2293 | national, state, including any subordinate committee of a  
 2294 | national, state, or county committee of a political party, and  
 2295 | county executive committees of a political party, which  
 2296 | contributions in the aggregate exceed \$50,000, no more than  
 2297 | \$25,000 of which may be accepted prior to the 28-day period  
 2298 | immediately preceding the date of the general election.

2299 |         (b) A candidate for statewide office may not accept  
 2300 | contributions from national, state, or county executive  
 2301 | committees of a political party, including any subordinate  
 2302 | committee of a national, state, or county committee of a

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2303 political party, which contributions in the aggregate exceed  
 2304 \$250,000, no more than \$125,000 of which may be accepted prior  
 2305 to the 28-day period immediately preceding the date of the  
 2306 general election. Polling services, research services, costs for  
 2307 campaign staff, professional consulting services, and telephone  
 2308 calls are not contributions to be counted toward the  
 2309 contribution limits of paragraph (a) or paragraph (b). Any item  
 2310 not expressly identified in this paragraph as nonallocable is a  
 2311 contribution in an amount equal to the fair market value of the  
 2312 item and must be counted as allocable toward the ~~\$50,000~~  
 2313 contribution limits of paragraph (a) or paragraph (b).  
 2314 Nonallocable, in-kind contributions must be reported by the  
 2315 candidate under s. 106.07 and by the political party under s.  
 2316 106.29.

2317 Section 47. Subsection (3) of section 106.33, Florida  
 2318 Statutes, is amended to read:

2319 106.33 Election campaign financing; eligibility.--Each  
 2320 candidate for the office of Governor or member of the Cabinet  
 2321 who desires to receive contributions from the Election Campaign  
 2322 Financing Trust Fund shall, upon qualifying for office, file a  
 2323 request for such contributions with the filing officer on forms  
 2324 provided by the Division of Elections. If a candidate  
 2325 requesting contributions from the fund desires to have such  
 2326 funds distributed by electronic fund transfers, the request  
 2327 shall include information necessary to implement that procedure.  
 2328 For the purposes of ss. 106.30-106.36, candidates for Governor  
 2329 and Lieutenant Governor on the same ticket shall be considered  
 2330 as a single candidate. To be eligible to receive contributions

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2331 | from the fund, a candidate may not be an unopposed candidate as  
 2332 | defined in s. 106.011(15) and must:

2333 |       (3) Limit loans or contributions from the candidate's  
 2334 | personal funds to \$25,000 and contributions from national,  
 2335 | state, and county executive committees of a political party to  
 2336 | \$250,000 ~~\$25,000~~ in the aggregate, which loans or contributions  
 2337 | shall not qualify for meeting the threshold amounts in  
 2338 | subsection (2).

2339 |       Section 48. Section 106.34, Florida Statutes, is amended  
 2340 | to read:

2341 |       106.34 Expenditure limits.--

2342 |       (1) Any candidate for Governor and Lieutenant Governor or  
 2343 | Cabinet officer who requests contributions from the Election  
 2344 | Campaign Financing Trust Fund shall limit his or her total  
 2345 | expenditures as follows:

2346 |       (a) Governor and Lieutenant Governor: \$2.00 for each  
 2347 | Florida-registered voter ~~\$5 million~~.

2348 |       (b) Cabinet officer: \$1.00 for each Florida-registered  
 2349 | voter ~~\$2 million~~.

2350 |       (2) The expenditure limit for any candidate with primary  
 2351 | election opposition only shall be 60 percent of the limit  
 2352 | provided in subsection (1).

2353 |       (3) For purposes of this section, "Florida-registered  
 2354 | voter" means a voter who is registered to vote in Florida as of  
 2355 | June 30 of each odd-numbered year. The Division of Elections  
 2356 | shall certify the total number of Florida-registered voters no  
 2357 | later than July 31 of each odd-numbered year. Such total number  
 2358 | shall be calculated by adding the number of registered voters in

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2359 each county as of June 30 in the year of the certification date.  
 2360 For the 2006 general election, the Division of Elections shall  
 2361 certify the total number of Florida-registered voters by July  
 2362 31, 2005. ~~The expenditure limit shall be adjusted by the~~  
 2363 ~~Secretary of State quadrennially to reflect the rate of~~  
 2364 ~~inflation or deflation as indicated in the Consumer Price Index~~  
 2365 ~~for All Urban Consumers, U.S. City Average, All Items, 1967=100,~~  
 2366 ~~or successor reports as reported by the United States Department~~  
 2367 ~~of Labor, Bureau of Labor Statistics.~~

2368 (4) For the purposes of this section, the term  
 2369 "expenditure" does not include the payment of compensation for  
 2370 legal and accounting services rendered on behalf of a candidate.

2371 Section 49. Section 196.141, Florida Statutes, is amended  
 2372 to read:

2373 196.141 Homestead exemptions; duty of property appraiser.-

2374 -

2375 ~~(1)~~ The property appraiser shall examine each claim for  
 2376 exemption filed with or referred to him or her and shall allow  
 2377 the same, if found to be in accordance with law, by marking the  
 2378 same approved and by making the proper deductions on the tax  
 2379 books.

2380 ~~(2)~~ ~~The property appraiser shall examine each referral, of~~  
 2381 ~~a person registering to vote at an address different from the~~  
 2382 ~~one where the person has filed for a homestead exemption, which~~  
 2383 ~~has been provided by a supervisor of elections pursuant to s.~~  
 2384 ~~98.015. The property appraiser shall initiate procedures to~~  
 2385 ~~terminate a person's homestead exemption and assess back taxes,~~

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2386 ~~if appropriate, if the person claiming such exemption is not~~  
 2387 ~~entitled to the exemption under law.~~

2388 Section 50. Subsection (4) of section 120.54, Florida  
 2389 Statutes, is amended to read:

2390 120.54 Rulemaking.--

2391 (4) EMERGENCY RULES.--

2392 (a) If an agency finds that an immediate danger to the  
 2393 public health, safety, or welfare requires emergency action, the  
 2394 agency may adopt any rule necessitated by the immediate danger.  
 2395 The agency may adopt a rule by any procedure which is fair under  
 2396 the circumstances if:

2397 1. The procedure provides at least the procedural  
 2398 protection given by other statutes, the State Constitution, or  
 2399 the United States Constitution.

2400 2. The agency takes only that action necessary to protect  
 2401 the public interest under the emergency procedure.

2402 3. The agency publishes in writing at the time of, or  
 2403 prior to, its action the specific facts and reasons for finding  
 2404 an immediate danger to the public health, safety, or welfare and  
 2405 its reasons for concluding that the procedure used is fair under  
 2406 the circumstances. In any event, notice of emergency rules,  
 2407 other than those of educational units or units of government  
 2408 with jurisdiction in only one or a part of one county, including  
 2409 the full text of the rules, shall be published in the first  
 2410 available issue of the Florida Administrative Weekly and  
 2411 provided to the committee. The agency's findings of immediate  
 2412 danger, necessity, and procedural fairness shall be judicially  
 2413 reviewable.

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2414 (b) Rules pertaining to the public health, safety, or  
 2415 welfare shall include rules pertaining to perishable  
 2416 agricultural commodities or rules pertaining to the  
 2417 interpretation and implementation of the requirements of  
 2418 chapters 97 through 102 and 105 of the Election Code.

2419 (c) An emergency rule adopted under this subsection shall  
 2420 not be effective for a period longer than 90 days and shall not  
 2421 be renewable, except during the pendency of a challenge to  
 2422 proposed rules addressing the subject of the emergency rule.  
 2423 However, the agency may take identical action by the rulemaking  
 2424 procedures specified in this chapter.

2425 (d) Subject to applicable constitutional and statutory  
 2426 provisions, an emergency rule becomes effective immediately on  
 2427 filing, or on a date less than 20 days thereafter if specified  
 2428 in the rule, if the adopting agency finds that such effective  
 2429 date is necessary because of immediate danger to the public  
 2430 health, safety, or welfare.

2431 Section 51. Subsection (1) of section 99.061, Florida  
 2432 Statutes, is amended to read:

2433 99.061 Method of qualifying for nomination or election to  
 2434 federal, state, county, or district office.--

2435 (1) The provisions of any special act to the contrary  
 2436 notwithstanding, each person seeking to qualify for nomination  
 2437 or election to a federal, state, or multicounty district office,  
 2438 other than election to a judicial office as defined in chapter  
 2439 105 or the office of school board member, shall file his or her  
 2440 qualification papers with, and pay the qualifying fee, which  
 2441 shall consist of the filing fee and election assessment, and



ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2442 party assessment, if any has been levied, to, the Department of  
 2443 State, or qualify by the alternative method with the Department  
 2444 of State, at any time after noon of the 1st day for qualifying,  
 2445 which shall be as follows: the 120th day prior to the first  
 2446 primary, but not later than noon of the 116th day prior to the  
 2447 date of the first primary, for persons seeking to qualify for  
 2448 nomination or election to federal office or the office of the  
 2449 state attorney or public defender; and noon of the 50th day  
 2450 prior to the first primary, but not later than noon of the 46th  
 2451 day prior to the date of the first primary, for persons seeking  
 2452 to qualify for nomination or election to a state or multicounty  
 2453 district office, other than the office of state attorney or  
 2454 public defender.

2455 Section 52. Subsection (4) of section 322.142, Florida  
 2456 Statutes, is amended to read:

2457 322.142 Color photographic or digital imaged licenses.--

2458 (4) The department may maintain a film negative or print  
 2459 file. The department shall maintain a record of the digital  
 2460 image and signature of the licensees, together with other data  
 2461 required by the department for identification and retrieval.  
 2462 Reproductions from the file or digital record shall be made and  
 2463 issued only for departmental administrative purposes; for the  
 2464 issuance of duplicate licenses; in response to law enforcement  
 2465 agency requests; to the Department of State pursuant to an  
 2466 interagency agreement to facilitate determinations of  
 2467 eligibility of voter registration applicants and registered  
 2468 voters in accordance with ss. 98.045 and 98.075; to the  
 2469 Department of Revenue pursuant to an interagency agreement to

ENROLLED  
 HB 1589, Engrossed 3

2005 Legislature

2470 facilitate service of process in Title IV-D cases; or to the  
 2471 Department of Financial Services pursuant to an interagency  
 2472 agreement to facilitate the location of owners of unclaimed  
 2473 property, the validation of unclaimed property claims, and the  
 2474 identification of fraudulent or false claims, and are exempt  
 2475 from the provisions of s. 119.07(1).

2476       Section 53. Absentee ballots and voting; violations.--Any  
 2477 person who provides or offers to provide, and any person who  
 2478 accepts, a pecuniary or other benefit in exchange for  
 2479 distributing, ordering, requesting, collecting, delivering, or  
 2480 otherwise physically possessing absentee ballots, with intent to  
 2481 alter, change, modify, or erase any vote on the absentee ballot,  
 2482 except as provided in sections 101.6105-101.695, Florida  
 2483 Statutes, commits a felony of the third degree, punishable as  
 2484 provided in section 775.082, section 775.083, or section  
 2485 775.084, Florida Statutes.

2486       Section 54. Subsection (1) of section 104.047, Florida  
 2487 Statutes, is repealed.

2488       Section 55. Sections 98.055, 98.095, 98.0977, 98.0979,  
 2489 98.101, 98.181, 98.231, 98.451, 98.481, and 101.635, Florida  
 2490 Statutes, are repealed.

2491       Section 56. Except as otherwise expressly provided in this  
 2492 act and except for this section, which shall take effect upon  
 2493 becoming a law, this act shall take effect January 1, 2006.