

1 registration application; revising the
2 information needed on a voter registration
3 application to establish an applicant's
4 eligibility; providing for verification of
5 authenticity of certain voter registration
6 application information; providing for a
7 provisional ballot to be provided to an
8 applicant if the application is not verified by
9 a certain date; requiring a voter registration
10 official to enter all voter registration
11 applications into the voter registration system
12 within a certain time period and forward such
13 applications to the supervisor of elections;
14 amending s. 97.0535, F.S.; providing for
15 applicants who have no valid Florida driver's
16 license, identification card, or social
17 security number; amending s. 97.055, F.S.;
18 specifying the information updates permitted
19 for purposes of an upcoming election once
20 registration books are closed; amending s.
21 97.057, F.S.; revising the voter registration
22 procedure by the Department of Highway Safety
23 and Motor Vehicles; amending s. 97.058, F.S.;
24 revising duties of voter registration agencies;
25 amending s. 97.061, F.S.; revising special
26 registration procedures for electors requiring
27 assistance; amending s. 97.071, F.S.;
28 redesignating the registration identification
29 card as the voter information card; revising
30 the required contents of the card; amending s.
31 97.073, F.S.; revising the procedure by which

1 an applicant must supply missing information on
2 the voter registration application; revising
3 provisions relating to cancellation of previous
4 registration; amending s. 97.1031, F.S.;
5 revising provisions relating to notice of
6 change of residence, name, or party
7 affiliation; amending s. 97.105, F.S., relating
8 to establishment of the permanent single
9 registration system, to conform; amending s.
10 98.015, F.S.; revising the duties of
11 supervisors of elections; creating s. 98.035,
12 F.S.; establishing a statewide voter
13 registration system; requiring the Secretary of
14 State to be responsible for the implementation,
15 operation, and maintenance of the system;
16 prohibiting the department from contracting
17 with any other entity to operate the system;
18 authorizing the department to adopt rules
19 relating to the access, use, and operation of
20 the system; amending s. 98.045, F.S.; revising
21 provisions relating to administration of voter
22 registration; providing for the responsibility
23 of such administration to be undertaken by the
24 department in lieu of supervisors of elections;
25 specifying ineligibility criteria; revising
26 provisions relating to removal of registered
27 voters; revising provisions relating to public
28 records access and retention; providing for the
29 establishment of a statewide electronic
30 database of valid residential street addresses;
31 authorizing the department to adopt rules

1 relating to certain voter registration system
2 forms; amending s. 98.065, F.S.; revising
3 provisions relating to registration records
4 maintenance; providing for change of address;
5 providing limitations on notice and renewal;
6 requiring supervisors of elections to certify
7 to the department certain list maintenance
8 activities; providing penalties; amending s.
9 98.075, F.S.; providing for registration
10 records maintenance by the department;
11 providing procedures in cases involving
12 duplicate registration, deceased persons,
13 adjudication of mental incapacity, felony
14 conviction, and other bases for ineligibility;
15 providing procedures for removal; requiring
16 supervisors of elections to certify to the
17 department certain registration records
18 maintenance activities; creating s. 98.0755,
19 F.S.; providing for appeal of a determination
20 of ineligibility; providing for jurisdiction,
21 burden of proof, and trial costs; amending s.
22 98.077, F.S.; revising provisions relating to
23 updating a voter's signature; amending s.
24 98.081, F.S., relating to removal of names from
25 the statewide voter registration system, to
26 conform; amending s. 98.093, F.S.; revising the
27 duty of officials to furnish lists of deceased
28 persons, persons adjudicated mentally
29 incapacitated, and persons convicted of a
30 felony; creating s. 98.0981, F.S.; requiring
31 the department to furnish certain voter

1 information to the Legislature; amending s.
2 98.212, F.S., relating to furnishing of
3 statistical and other information, to conform;
4 amending s. 98.461, F.S.; authorizing use of an
5 electronic database as a precinct register and
6 use of an electronic device for voter
7 signatures and witness initials; amending s.
8 101.001, F.S.; revising requirements of
9 supervisors relating to precincts and precinct
10 boundaries; providing exceptions; amending s.
11 100.371, F.S.; revising the procedure by which
12 constitutional amendments proposed by
13 initiative shall be placed on the ballot;
14 amending s. 101.043, F.S.; revising
15 requirements and procedures relating to
16 identification required at polls; amending s.
17 101.045, F.S., relating to provisions for
18 residence or name change at the polls, to
19 conform; amending s. 101.048, F.S., relating to
20 provisional ballots, to conform; amending s.
21 101.161, F.S.; conforming a cross-reference;
22 amending s. 101.56062, F.S., relating to
23 standards for accessible voting systems, to
24 conform; amending s. 101.5608, F.S.; revising a
25 provision relating to an elector's signature
26 provided with identification prior to voting;
27 creating s. 101.573, F.S.; requiring
28 supervisors of elections to file precinct-level
29 election results; requiring the Department of
30 State to adopt rules; amending s. 101.62, F.S.;
31 conforming a cross-reference; amending ss.

1 101.64 and 101.657, F.S.; requiring that the
2 supervisor of elections indicate on each
3 absentee or early voted ballot the precinct of
4 the voter; amending s. 101.663, F.S., relating
5 to change of residence, to conform; amending s.
6 101.6921, F.S., relating to delivery of special
7 absentee ballots to certain first-time voters,
8 to conform; amending s. 101.6923, F.S.,
9 relating to special absentee ballot
10 instructions for certain first-time voters, to
11 conform; amending s. 102.012, F.S., relating to
12 conduct of elections by inspectors and clerks,
13 to conform; amending s. 104.013, F.S., relating
14 to unauthorized use, possession, or destruction
15 of voter information cards, to conform;
16 amending s. 106.08, F.S.; providing for
17 contribution limits to statewide candidates;
18 amending s. 106.34, F.S.; revising the method
19 of calculating a candidate's expenditures if
20 such candidate is requesting contributions from
21 the Election Campaign Financing Trust Fund;
22 amending s. 196.141, F.S., relating to
23 homestead exemptions and duties of property
24 appraisers, to conform; amending s. 120.54,
25 F.S.; including certain rules pertaining to the
26 Florida Election Code within the definition of
27 emergency rules governing public health,
28 safety, or welfare during specified times;
29 amending s. 99.061, F.S.; providing the method
30 of qualifying for nomination or election to the
31 office of the state attorney or public

1 defender; repealing s. 98.055, F.S., relating
2 to registration list maintenance forms;
3 repealing s. 98.095, F.S., relating to county
4 registers open to inspection and copies;
5 repealing s. 98.0977, F.S., relating to the
6 statewide voter registration database and its
7 operation and maintenance; repealing s.
8 98.0979, F.S., relating to inspection of the
9 statewide voter registration; repealing s.
10 98.101, F.S., relating to specifications for
11 permanent registration binders, files, and
12 forms; repealing s. 98.181, F.S., relating to
13 duty of the supervisor of elections to make up
14 indexes or records; repealing s. 98.231, F.S.,
15 relating to duty of the supervisor of elections
16 to furnish the department the number of
17 registered electors; repealing s. 98.451, F.S.,
18 relating to automation in processing
19 registration data; repealing s. 98.481, F.S.,
20 relating to challenges to electors; repealing
21 s. 101.635, F.S., relating to distribution of
22 blocks of printed ballots; amending s. 106.33,
23 F.S.; increasing certain campaign contribution
24 limits; providing effective dates.

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

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

1 97.012 Secretary of State as chief election
2 officer.--The Secretary of State is the chief election officer
3 of the state, and it is his or her responsibility to:

4 (1) Obtain and maintain uniformity in the ~~application,~~
5 ~~operation, and~~ interpretation and implementation of the
6 election laws. In order to obtain and maintain uniformity in
7 the interpretation and implementation of the elections laws,
8 the Department of State may, pursuant to ss. 120.536(1) and
9 120.54, adopt by rule uniform standards for the proper and
10 equitable interpretation and implementation of the
11 requirements of chapters 97 through 102 and 105 of the
12 Election Code.

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

17 (11) Create and administer ~~maintain~~ a statewide voter
18 registration system as required by the Help America Vote Act
19 of 2002 database. The secretary may delegate voter
20 registration duties and records maintenance activities to
21 voter registration officials. Any responsibilities delegated
22 by the secretary shall be performed in accordance with state
23 and federal law.

24 (14) Bring and maintain such actions at law or in
25 equity by mandamus or injunction to enforce the performance of
26 any duties of a county supervisor of elections or any official
27 performing duties with respect to chapters 97 through 102 and
28 105 or to enforce compliance with a rule of the Department of
29 State adopted to interpret or implement any of those chapters.

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

1 **(b) When the secretary files an action under this**
2 **section and not more than 60 days remain before an election as**
3 **defined in s. 97.021, or during the time period after the**
4 **election and before certification of the election pursuant to**
5 **s. 102.112 or s. 102.121, the court, including an appellate**
6 **court, shall set an immediate hearing, giving the case**
7 **priority over other pending cases.**

8 **(c) Prior to filing an action to enforce performance**
9 **of the duties of the supervisor of elections or any official**
10 **described in this subsection, the secretary or his or her**
11 **designee first must confer, or must make a good-faith attempt**
12 **to confer, with the supervisor of elections or the official to**
13 **ensure compliance with chapters 97 through 102 and 105 or the**
14 **rules of the Department of State adopted under any of those**
15 **chapters.**

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

20 97.021 Definitions.--For the purposes of this code,
21 except where the context clearly indicates otherwise, the
22 term:

23 (13) "Lists of registered electors" means **names and**
24 **associated information** ~~copies of printed lists~~ of registered
25 electors **maintained by the department in the statewide voter**
26 **registration system or generated or derived from the statewide**
27 **voter registration system. Lists may be produced in printed or**
28 **electronic format,** ~~computer tapes or disks, or any other~~
29 ~~device used by the supervisor of elections to maintain voter~~
30 ~~records.~~

1 (38) "Voter registration official" means any
2 supervisor of elections or individual authorized by the
3 Secretary of State to accept voter registration applications
4 and execute updates to the statewide voter registration
5 system.

6 Section 3. Section 97.026, Florida Statutes, is
7 amended to read:

8 97.026 Forms to be available in alternative formats
9 and via the Internet.--It is the intent of the Legislature
10 that all forms required to be used in chapters 97-106 shall be
11 made available upon request, in alternative formats. Such
12 forms shall include absentee ballots as alternative formats
13 for such ballots become available and the Division of
14 Elections is able to certify systems that provide them. The
15 department may, pursuant to ss. 120.536(1) and 120.54, adopt
16 rules to administer this section. Whenever possible, such
17 forms, with the exception of absentee ballots, shall be made
18 available by the Department of State via the Internet.
19 Sections that contain such forms include, but are not limited
20 to, ss. 97.051, 97.052, 97.053, 97.057, 97.058, 97.0583,
21 97.071, 97.073, 97.1031, ~~98.055~~, 98.075, 99.021, 100.361,
22 100.371, 101.045, 101.171, 101.20, 101.6103, 101.62, 101.64,
23 101.65, 101.657, 105.031, 106.023, and 106.087.

24 Section 4. Section 97.051, Florida Statutes, is
25 amended to read:

26 97.051 Oath upon registering.--A person registering to
27 vote must subscribe to the following oath: "I do solemnly
28 swear (or affirm) that I will protect and defend the
29 Constitution of the United States and the Constitution of the
30 State of Florida, that I am qualified to register as an
31 elector under the Constitution and laws of the State of

1 Florida, and that all information provided in this application
2 is true ~~I am a citizen of the United States and a legal~~
3 ~~resident of Florida.~~"

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

6 97.052 Uniform statewide voter registration
7 application.--

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

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

- 14 1. Initial registration.
- 15 2. Change of address.
- 16 3. Change of party affiliation.
- 17 4. Change of name.
- 18 5. Replacement of a voter information registration
19 ~~identification~~ card.

20 6. Signature update.

21 (b) The department is responsible for printing the
22 uniform statewide voter registration application and the voter
23 registration application form prescribed by the ~~Federal~~
24 Election Assistance Commission pursuant to federal law ~~the~~
25 ~~National Voter Registration Act of 1993~~. The applications and
26 forms must be distributed, upon request, to the following:

27 1. Individuals seeking to register to vote or update a
28 voter registration record.

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

1 3. The Department of Highway Safety and Motor
2 Vehicles.
3 4. Voter registration agencies.
4 5. Armed forces recruitment offices.
5 6. Qualifying educational institutions.
6 7. Supervisors, who must make the applications and
7 forms available in the following manner:
8 a. By distributing the applications and forms in their
9 offices to any individual or group.
10 b. By distributing the applications and forms at other
11 locations designated by each supervisor.
12 c. By mailing the applications and forms to applicants
13 upon the request of the applicant.
14 (c) The uniform statewide voter registration
15 application may be reproduced by any private individual or
16 group, provided the reproduced application is in the same
17 format as the application prescribed by rule under this
18 section.
19 (2) The uniform statewide voter registration
20 application must be designed to elicit the following
21 information from the applicant:
22 (a) Last, first, and middle ~~Full~~ name, including any
23 suffix.
24 (b) Date of birth.
25 (c) Address of legal residence.
26 (d) Mailing address, if different.
27 (e) County of legal residence.
28 ~~(f) Address of property for which the applicant has~~
29 ~~been granted a homestead exemption, if any.~~
30 (f)(g) Race or ethnicity that best describes the
31 applicant:

- 1 1. American Indian or Alaskan Native.
- 2 2. Asian or Pacific Islander.
- 3 3. Black, not Hispanic.
- 4 4. White, not Hispanic.
- 5 5. Hispanic.
- 6 ~~(g)(h)~~ State or country of birth.
- 7 ~~(h)(i)~~ Sex.
- 8 ~~(i)(j)~~ Party affiliation.
- 9 ~~(j)(k)~~ Whether the applicant needs assistance in
10 voting.
- 11 ~~(k)(l)~~ Name and address where last registered.
- 12 ~~(l)(m)~~ Last four digits of the applicant's social
13 security number.
- 14 ~~(m)(n)~~ Florida driver's license number or the
15 identification number from a Florida identification card
16 issued under s. 322.051.
- 17 (n) An indication, if applicable, that the applicant
18 has not been issued a Florida driver's license, a Florida
19 identification card, or a social security number.
- 20 (o) Telephone number (optional).
- 21 (p) Signature of applicant under penalty for false
22 swearing pursuant to s. 104.011, by which the person
23 subscribes to the oath required by s. 3, Art. VI of the State
24 Constitution and s. 97.051, and swears or affirms that the
25 information contained in the registration application is true.
- 26 (q) Whether the application is being used for initial
27 registration, to update a voter registration record, or to
28 request a replacement voter information registration
29 identification card.
- 30 (r) Whether the applicant is a citizen of the United
31 States by asking the question "Are you a citizen of the United

1 States of America?" and providing boxes for the applicant to
2 check to indicate whether the applicant is or is not a citizen
3 of the United States.

4 (s) Whether ~~That~~ the applicant has ~~not~~ been convicted
5 of a felony, and or, if convicted, has had his or her civil
6 rights restored by including the statement "I affirm I am not
7 a convicted felon or, if I am, my rights relating to voting
8 have been restored." and providing a box for the applicant to
9 check to affirm the statement.

10 (t) Whether ~~That~~ the applicant has ~~not~~ been
11 adjudicated mentally incapacitated with respect to voting or,
12 if so adjudicated, has had his or her right to vote restored
13 by including the statement "I affirm I have not been
14 adjudicated mentally incapacitated with respect to voting or,
15 if I have, my competency has been restored." and providing a
16 box for the applicant to check to affirm the statement.

17
18 The registration application ~~form~~ must be in plain language
19 and designed so that convicted felons whose civil rights have
20 been restored and persons who have been adjudicated mentally
21 incapacitated and have had their voting rights restored are
22 not required to reveal their prior conviction or adjudication.

23 (3) The uniform statewide voter registration
24 application must also contain:

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

27 (b) A statement specifying each eligibility
28 requirement under s. 97.041.

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

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1 (d) A statement that, if an applicant declines to
2 register to vote, the fact that the applicant has declined to
3 register will remain confidential and may be used only for
4 voter registration purposes.

5 (e) A statement that informs the applicant who chooses
6 to register to vote or update a voter registration record that
7 the office at which the applicant submits a voter registration
8 application or updates a voter registration record will remain
9 confidential and may be used only for voter registration
10 purposes.

11 ~~(f) A statement that informs the applicant that any~~
12 ~~person who has been granted a homestead exemption in this~~
13 ~~state, and who registers to vote in any precinct other than~~
14 ~~the one in which the property for which the homestead~~
15 ~~exemption has been granted, shall have that information~~
16 ~~forwarded to the property appraiser where such property is~~
17 ~~located, which may result in the person's homestead exemption~~
18 ~~being terminated and the person being subject to assessment of~~
19 ~~back taxes under s. 193.092, unless the homestead granted the~~
20 ~~exemption is being maintained as the permanent residence of a~~
21 ~~legal or natural dependent of the owner and the owner resides~~
22 ~~elsewhere.~~

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

30 (4) A supervisor may produce a voter registration
31 application that has the supervisor's direct mailing address

1 | if the department has reviewed the application and determined
2 | that it is substantially the same as the uniform statewide
3 | voter registration application.

4 | (5) The voter registration application form prescribed
5 | by the ~~Federal~~ Election Assistance Commission pursuant to
6 | federal law ~~the National Voter Registration Act of 1993~~ or the
7 | federal postcard application must be accepted as an
8 | application for registration in this state if the completed
9 | application or postcard application contains the information
10 | required by the constitution and laws of this state.

11 | Section 6. Section 97.053, Florida Statutes, is
12 | amended to read:

13 | 97.053 Acceptance of voter registration
14 | applications.--

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

23 | (2) A ~~completed~~ voter registration application is
24 | complete and that contains the information necessary to
25 | establish an applicant's eligibility pursuant to s. 97.041
26 | becomes the official voter registration record of that
27 | applicant when all information necessary to establish the
28 | applicant's eligibility pursuant to s. 97.041 is received by a
29 | voter registration official and verified pursuant to
30 | subsection (6) the appropriate supervisor. If the applicant
31 | fails to complete his or her voter registration application

1 prior to the date of book closing for an election, then such
2 applicant shall not be eligible to vote in that election.

3 (3) The registration date for a valid initial voter
4 registration application that has been hand delivered is the
5 date that the application is ~~when~~ received by a driver license
6 office, a voter registration agency, an armed forces
7 recruitment office, the division, or the office of any
8 supervisor in the state.

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

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

- 25 1. The applicant's name.
- 26 2. The applicant's legal residence address.
- 27 3. The applicant's date of birth.
- 28 4. A mark in the checkbox affirming ~~An indication~~ that
29 the applicant is a citizen of the United States.

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

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

8
9 In case an applicant has not been issued a current and valid
10 Florida driver's license, Florida identification card, or
11 social security number, the applicant shall affirm this fact
12 in the manner prescribed in the uniform statewide voter
13 registration application.

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

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

21 8. The original signature or a digital signature
22 transmitted by the Department of Highway Safety and Motor
23 Vehicles of the applicant swearing or affirming under the
24 penalty for false swearing pursuant to s. 104.011 that the
25 information contained in the registration application is true
26 and subscribing to the oath required by s. 3, Art. VI of the
27 State Constitution and s. 97.051.

28 (b) An applicant who fails to designate party
29 affiliation must be registered without party affiliation. The
30 supervisor must notify the voter by mail that the voter has
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1 | been registered without party affiliation and that the voter
2 | may change party affiliation as provided in s. 97.1031.

3 | (6) A voter registration application may be accepted
4 | as valid only after the department has verified the
5 | authenticity or nonexistence of the driver's license number,
6 | the Florida identification card number, or the last four
7 | digits of the social security number provided by the
8 | applicant. If a completed voter registration application has
9 | been received by the book-closing deadline but the driver's
10 | license number, the Florida identification card number, or the
11 | last four digits of the social security number provided by the
12 | applicant cannot be verified prior to the applicant presenting
13 | himself or herself to vote, the applicant shall be provided a
14 | provisional ballot. The provisional ballot shall be counted
15 | only if the application is verified by the end of the
16 | canvassing period or if the applicant presents evidence to the
17 | supervisor of elections sufficient to verify the authenticity
18 | of the driver's license number, Florida identification card
19 | number, or last four digits of the social security number
20 | provided on the application no later than 5 p.m. of the third
21 | day following the election.

22 | (7) All voter registration applications received by a
23 | voter registration official shall be entered into the
24 | statewide voter registration system within 15 days after
25 | receipt. Once entered, the application shall be immediately
26 | forwarded to the appropriate supervisor of elections.

27 | Section 7. Subsections (1), (2), and (3) of section
28 | 97.0535, Florida Statutes, are amended to read:

29 | 97.0535 Special requirements for certain applicants.--

30 | (1) Each applicant who registers by mail and who has
31 | never previously voted in the state and who the department has

1 verified has not been issued a current and valid Florida
2 driver's license, Florida identification card, or social
3 security number ~~county~~ shall be required to provide a copy of
4 a current and valid identification, as provided in subsection
5 (3), or indicate that he or she is exempt from the
6 requirements prior to voting. ~~Such~~ The applicant may provide
7 ~~the~~ identification or indication may be provided at the time
8 of registering, or at any time prior to voting for the first
9 time in the state ~~county~~. If the voter registration
10 application clearly provides information from which a voter
11 registration official ~~the supervisor~~ can determine that the
12 applicant meets at least one of the exemptions in subsection
13 (4), the voter registration official ~~supervisor~~ shall make the
14 notation on the registration records of the statewide voter
15 registration system and the applicant shall not be required to
16 provide the identification required by this section ~~further~~
17 ~~information that is required of first time voters who register~~
18 ~~by mail.~~

19 (2) The voter registration official ~~supervisor of~~
20 ~~elections~~ shall, upon accepting the voter registration
21 application submitted pursuant to subsection (1) ~~for an~~
22 ~~applicant who registered by mail and who has not previously~~
23 ~~voted in the county~~, determine if the applicant provided the
24 required identification at the time of registering. If the
25 required identification was not provided, the supervisor shall
26 notify the applicant that he or she must provide the
27 identification prior to voting the first time in the state
28 ~~county~~.

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

- 1 ~~1. Florida driver's license.~~
2 ~~2. Florida identification card issued by the~~
3 ~~Department of Highway Safety and Motor Vehicles.~~
4 1.3. United States passport.
5 2.4. Employee badge or identification.
6 3.5. Buyer's club identification.
7 4.6. Debit or credit card.
8 5.7. Military identification.
9 6.8. Student identification.
10 7.9. Retirement center identification.
11 8.10. Neighborhood association identification.
12 9.11. Entertainment identification.
13 10.12. Public assistance identification.

14 (b) The following forms of identification shall be
15 considered current and valid if they contain the name and
16 current residence address of the applicant:

- 17 1. Utility bill.
18 2. Bank statement.
19 3. Government check.
20 4. Paycheck.
21 5. Other government document (excluding voter
22 identification card).

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

25 97.055 Registration books; when closed for an
26 election.--

27 (1) The registration books must be closed on the 29th
28 day before each election and must remain closed until after
29 that election. If an election is called and there are fewer
30 than 29 days before that election, the registration books must
31 be closed immediately. When the registration books are closed

1 for an election, only updates to a voter's name, address, and
2 signature pursuant to ss. 98.077 and 101.045 will be permitted
3 for purposes of the upcoming election. Voter registration
4 applications and party changes must be accepted but only for
5 the purpose of subsequent elections. However, party changes
6 received between the book-closing date of the first primary
7 election and the date of the second primary election are not
8 effective until after the second primary election.

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

11 97.057 Voter registration by the Department of Highway
12 Safety and Motor Vehicles.--

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

- 17 (a) Apply for or renew a driver's license;
18 (b) Apply for or renew an identification card pursuant
19 to chapter 322; or
20 (c) Change an address on an existing driver's license
21 or identification card.

22 (2) The Department of Highway Safety and Motor
23 Vehicles shall:

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

- 26 1. Information gathered for the completion of a
27 driver's license or identification card application, renewal,
28 or change of address can be automatically transferred to a
29 voter registration application;
30
31

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

4 3. Information provided can also be used to update a
5 voter registration record;

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

8 5. The particular driver license office in which the
9 person applies to register to vote or updates a voter
10 registration record will remain confidential and may be used
11 only for voter registration purposes.

12 (b) Require a driver's license examiner to inquire
13 orally, ~~or, if the applicant is hearing impaired,~~ inquire in
14 writing ~~if the applicant is hearing impaired,~~ and whether the
15 applicant wishes to register to vote or update a voter
16 registration record during the completion of a driver's
17 license or identification card application, renewal, or change
18 of address.

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

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

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

29 c. A voter registration application with all of the
30 applicant's voter registration information required to
31 establish the applicant's eligibility pursuant to s. 97.041

1 must be presented to the applicant to review and verify the
2 voter registration information received and provide an
3 electronic signature affirming the accuracy of the information
4 provided sign.

5 2. If the applicant declines to register to vote,
6 update the applicant's voter registration record, or change
7 the applicant's address by either orally declining or by
8 failing to sign the voter registration application, the
9 Department of Highway Safety and Motor Vehicles must note such
10 declination on its records and shall forward the declination
11 to the statewide voter registration system ~~keep the~~
12 ~~declination for 2 years but must forward a copy of the~~
13 ~~unsigned voter registration application within 5 days after~~
14 ~~receipt to the appropriate supervisor of elections.~~

15 (3) For the purpose of this section, the Department of
16 Highway Safety and Motor Vehicles, with the approval of the
17 Department of State, shall prescribe:

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

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

24 (4) The Department of Highway Safety and Motor
25 Vehicles must electronically transmit ~~forward~~ completed voter
26 registration applications within 24 hours after receipt to the
27 statewide voter registration system. Completed paper voter
28 registration applications received by the Department of
29 Highway Safety and Motor Vehicles shall be forwarded within 5
30 days after receipt to the supervisor of the county where the
31 office that processed or received that application is located.

1 (5) The Department of Highway Safety and Motor
2 Vehicles must send, with each driver's license renewal
3 extension application authorized pursuant to s. 322.18(8), a
4 uniform statewide voter registration application, the voter
5 registration application prescribed under paragraph (3)(a), or
6 a voter registration application developed especially for the
7 purposes of this subsection by the Department of Highway
8 Safety and Motor Vehicles, with the approval of the Department
9 of State, which must meet the requirements of s. 97.052.

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

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

14 (b) Display any political preference or party
15 allegiance;

16 (c) Make any statement to an applicant or take any
17 action the purpose or effect of which is to discourage the
18 applicant from registering to vote; or

19 (d) Disclose any applicant's voter registration
20 information except as needed for the administration of voter
21 registration.

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

28 (7)(8) The Department of Highway Safety and Motor
29 Vehicles shall collect data determined necessary by the
30 Department of State for program evaluation and reporting to
31

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

3 ~~(8)(9)~~ The Department of Highway Safety and Motor
4 Vehicles must ensure that all voter registration services
5 provided by driver license offices are in compliance with the
6 Voting Rights Act of 1965.

7 (9) The Department of Highway Safety and Motor
8 Vehicles shall retain complete records of voter registration
9 information received, processed, and submitted to the
10 statewide voter registration system by the Department of
11 Highway Safety and Motor Vehicles. These records shall be for
12 the explicit purpose of supporting audit and accounting
13 controls established to ensure accurate and complete
14 electronic transmission of records between the statewide voter
15 registration system and the Department of Highway Safety and
16 Motor Vehicles.

17 (10) The department shall provide the Department of
18 Highway Safety and Motor Vehicles with an electronic database
19 of street addresses valid for use as the legal residence
20 address as required in s. 97.053(5). The Department of Highway
21 Safety and Motor Vehicles shall compare the address provided
22 by the applicant against the database of valid street
23 addresses. If the address provided by the applicant does not
24 match a valid street address in the database, the applicant
25 will be asked to verify the address provided. The Department
26 of Highway Safety and Motor Vehicles shall not reject any
27 application for voter registration for which a valid match
28 cannot be made.

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

1 with information in the database of the Department of Highway
2 Safety and Motor Vehicles to the extent required to verify the
3 accuracy of the driver's license number, Florida
4 identification number, or last four digits of the social
5 security number provided on applications for voter
6 registration as required in s. 97.053.

7 (12) The Department of Highway Safety and Motor
8 Vehicles shall enter into an agreement with the Commissioner
9 of Social Security as required by the Help America Vote Act of
10 2002 to verify the last four digits of the social security
11 number provided in applications for voter registration as
12 required in s. 97.053.

13 Section 10. Subsections (6), (7), and (9) of section
14 97.058, Florida Statutes, are amended to read:

15 97.058 Voter registration agencies.--

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

21 (7) A voter registration agency must retain
22 declinations for a period of 2 years, during which time the
23 declinations are not considered a record of the client
24 pursuant to the laws governing the agency's records. ~~However,~~
25 ~~a voter registration agency must forward a copy of each~~
26 ~~incompleted voter registration application within 5 days after~~
27 ~~receipt to the appropriate supervisor of elections.~~

28 (9) A voter registration agency must collect data
29 determined necessary by the department, as provided by rule,
30 for program evaluation and reporting to the ~~Federal~~ Election
31

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

3 Section 11. Section 97.061, Florida Statutes, is
4 amended to read:

5 97.061 Special registration for electors requiring
6 assistance.--

7 (1) Any person who is eligible to register and who is
8 unable to read or write or who, because of some disability,
9 needs assistance in voting shall upon that person's request be
10 registered ~~by the supervisor~~ under the procedure prescribed by
11 this section and shall be entitled to receive assistance at
12 the polls under the conditions prescribed by this section. The
13 department may adopt rules to administer this section.

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

18 (3) The precinct register generated by the supervisor
19 shall contain ~~Upon registering any person pursuant to this~~
20 ~~section, the supervisor must make a notation on the~~
21 ~~registration books or records which are delivered to the polls~~
22 ~~on election day~~ that such person is eligible for assistance in
23 voting, and the supervisor may ~~issue such person a special~~
24 ~~registration identification card or make a~~ some notation on
25 the voter information ~~regular registration identification~~ card
26 that such person is eligible for assistance in voting. Such
27 person shall be entitled to receive the assistance of two
28 election officials or some other person of his or her own
29 choice, other than the person's employer, the agent of the
30 person's employer, or an officer or agent of the person's
31 union, without the necessity of executing the "Declaration to

1 Secure Assistance" prescribed in s. 101.051. Such person shall
2 notify the supervisor of any change in his or her condition
3 which makes it unnecessary for him or her to receive
4 assistance in voting.

5 Section 12. Section 97.071, Florida Statutes, is
6 amended to read:

7 97.071 Voter information ~~Registration identification~~
8 card.--

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

- 14 (a) Voter's registration number.
15 (b) Date of registration.
16 (c) Full name.
17 (d) Party affiliation.
18 (e) Date of birth.
19 ~~(f) Race or ethnicity, if provided by the applicant.~~
20 ~~(g) Sex, if provided by the applicant.~~
21 (f)(h) Address of legal residence.
22 (g)(i) Precinct number.
23 (h)(j) Name of supervisor and contact information of
24 supervisor.

- 25 ~~(k) Place for voter's signature.~~
26 (i)(l) Other information deemed necessary by the
27 supervisor department.

28 (2) A voter may receive a replacement voter
29 information ~~of a registration identification~~ card by providing
30 a signed, written request for a replacement card to a voter
31 registration official ~~the supervisor~~. Upon verification of

1 registration, the supervisor shall issue the voter a duplicate
2 card without charge.

3 (3) In the case of a change of name, address, or party
4 affiliation, the supervisor shall ~~must~~ issue the voter a new
5 voter information registration identification card. However, a
6 voter information registration identification card indicating
7 a party affiliation change made between the book-closing date
8 for the first primary election and the date of the second
9 primary election may not be issued until after the second
10 primary election.

11 Section 13. Section 97.073, Florida Statutes, is
12 amended to read:

13 97.073 Disposition of voter registration applications;
14 cancellation notice.--

15 (1) The supervisor must notify each applicant of the
16 disposition of the applicant's voter registration application.
17 The notice must inform the applicant that the application has
18 been approved, is incomplete, has been denied, or is a
19 duplicate of a current registration. A voter information
20 ~~registration identification~~ card sent to an applicant
21 constitutes notice of approval of registration. If the
22 application is incomplete, the supervisor must request that
23 the applicant supply the missing information using a voter
24 registration application signed by the applicant in writing
25 ~~and sign a statement that the additional information is true~~
26 ~~and correct~~. A notice of denial must inform the applicant of
27 the reason the application was denied.

28 (2) Within 2 weeks after approval of a voter
29 registration application that indicates that the applicant was
30 previously registered in another state jurisdiction, the
31 department supervisor ~~supervisor~~ must notify the registration official in

1 the prior state jurisdiction that the applicant is now
2 registered in this state ~~the supervisor's county~~.

3 Section 14. Section 97.1031, Florida Statutes, is
4 amended to read:

5 97.1031 Notice of change of residence within the same
6 county, change of name, or change of party affiliation--

7 (1) When an elector moves from the address named on
8 that person's voter registration record to another address
9 within the state or changes his or her name by marriage or
10 other legal process same county, the elector shall submit the
11 new information to a voter registration official using a voter
12 registration application signed by the elector must provide
13 notification of such move to the supervisor of elections of
14 that county. The elector may provide the supervisor a signed,
15 written notice or may notify the supervisor by telephone or
16 electronic means. However, notification of such move other
17 than by signed, written notice must include the elector's date
18 of birth. A voter information registration identification card
19 reflecting the new information address of legal residence
20 shall be issued to the elector as provided in subsection
21 (3)(4).

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

27 ~~(2)(3)~~ When an elector seeks to change party
28 affiliation, the elector shall ~~must~~ provide notice a signed,
29 ~~written notification~~ of such intent to a voter registration
30 official using a voter registration application signed by the
31 elector. A voter information the supervisor and obtain a

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

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

10 Section 15. Section 97.105, Florida Statutes, is
11 amended to read:

12 97.105 Permanent single registration system
13 established.--A permanent single registration system for the
14 registration of electors to qualify them to vote in all
15 elections is provided for the several counties and
16 municipalities. This system shall be put into use by all
17 municipalities and shall be in lieu of any other system of
18 municipal registration. Electors shall be registered pursuant
19 to in pursuance of this system by a voter registration
20 official ~~the supervisor or by a deputy supervisor~~, and
21 electors registered shall not thereafter be required to
22 register or reregister except as provided by law.

23 Section 16. Subsections (3), (10), and (11) of section
24 98.015, Florida Statutes, are amended, and subsection (12) is
25 added to that section, to read:

26 98.015 Supervisor of elections; election, tenure of
27 office, compensation, custody of books, office hours,
28 successor, seal; appointment of deputy supervisors; duties.--

29 (3) The supervisor shall update voter registration
30 information, enter new voter registrations into the statewide
31 voter registration system, and act as is the official

1 custodian of documents received by the supervisor related to
2 the registration of electors and changes in voter registration
3 status of electors of the supervisor's county ~~the registration~~
4 ~~books and has the exclusive control of matters pertaining to~~
5 ~~registration of electors.~~

6 (10) Each supervisor shall ~~must~~ ensure that all voter
7 registration and list maintenance procedures conducted by such
8 supervisor are in compliance with any applicable requirements
9 prescribed by rule of the department through the statewide
10 voter registration system or prescribed by for that county
11 ~~under~~ the Voting Rights Act of 1965, the National Voter
12 Registration Act of 1993, or the Help America Vote Act of
13 2002.

14 (11) Each supervisor shall ensure that any voter
15 registration system used by the supervisor for administering
16 his or her duties as a voter registration official complies
17 with the specifications and procedures established by rule of
18 the department and the statewide voter registration system
19 ~~Each supervisor of elections shall forward to the property~~
20 ~~appraiser for the county in which the homestead is claimed the~~
21 ~~name of the person and the address of the homestead of each~~
22 ~~person who registers to vote at an address other than that at~~
23 ~~which the person claims a homestead exemption, as disclosed on~~
24 ~~the uniform statewide voter registration application pursuant~~
25 ~~to s. 97.052.~~

26 (12) Each supervisor shall maintain a list of valid
27 residential street addresses for purposes of verifying the
28 legal addresses of voters residing in the supervisor's county.
29 The supervisor shall make all reasonable efforts to coordinate
30 with county 911 service providers, property appraisers, the
31 United States Postal Service, or other agencies as necessary

1 to ensure the continued accuracy of such list. The supervisor
2 shall provide the list of valid residential addresses to the
3 statewide voter registration system in the manner and
4 frequency specified by rule of the department.

5 Section 17. Section 98.035, Florida Statutes, is
6 created to read:

7 98.035 Statewide voter registration system;
8 implementation, operation, and maintenance.--

9 (1) The Secretary of State, as chief election officer
10 of the state, shall be responsible for implementing,
11 operating, and maintaining, in a uniform and nondiscriminatory
12 manner, a single, uniform, official, centralized, interactive,
13 computerized statewide voter registration system as required
14 by the Help America Vote Act of 2002. The department may adopt
15 rules to administer this section.

16 (2) The statewide voter registration system must
17 contain the name and registration information of every legally
18 registered voter in the state. All voters shall be assigned a
19 unique identifier. The system shall be the official list of
20 registered voters in the state and shall provide secured
21 access by authorized voter registration officials. The system
22 shall enable voter registration officials to provide, access,
23 and update voter registration information.

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

27 (4) The implementation of the statewide voter
28 registration system shall not prevent any supervisor of
29 elections from acquiring, maintaining, or using any hardware
30 or software necessary or desirable to carry out the
31 supervisor's responsibilities related to the use of voter

1 registration information or the conduct of elections, provided
2 that such hardware or software does not conflict with the
3 operation of the statewide voter registration system.

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

8 Section 18. Section 98.045, Florida Statutes, is
9 amended to read:

10 98.045 Administration of voter registration.--

11 (1) ELIGIBILITY OF APPLICANT.--The ~~Each~~ supervisor
12 must ensure that any eligible applicant for voter registration
13 is registered to vote and that each application for voter
14 registration is processed in accordance with law. The
15 supervisor shall determine whether a voter registration
16 applicant is ineligible based on any of the following:

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

19 (b) The applicant is deceased.

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

22 (d) The applicant has been adjudicated mentally
23 incapacitated with respect to the right to vote and such right
24 has not been restored.

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

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

28 (g) The applicant is a fictitious person.

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

31

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

5 (2) REMOVAL OF REGISTERED VOTERS.--

6 (a) Once a voter is registered, the name of that voter
7 may not be removed from the statewide voter registration
8 system books except at the written request of the voter, by
9 reason of the voter's conviction of a felony or adjudication
10 as mentally incapacitated with respect to voting, by death of
11 the voter, or pursuant to a registration list maintenance
12 ~~program or other registration list maintenance~~ activity
13 conducted pursuant to s. 98.065 ~~or~~, s. 98.075, ~~or s. 98.0977.~~

14 (b)(2) Information received by a voter registration
15 official supervisor from an election official in another state
16 jurisdiction indicating that a registered voter in this state
17 ~~the supervisor's county~~ has registered to vote in that other
18 state jurisdiction shall be considered as a written request
19 from the voter to have the voter's name removed from the
20 statewide voter registration system books of the supervisor's
21 county.

22 (3) PUBLIC RECORDS ACCESS AND
23 RETENTION.--Notwithstanding the provisions of ss. 98.095 and
24 98.0977, Each supervisor shall maintain for at least 2 years,
25 and make available for public inspection and copying, all
26 records concerning implementation of registration list
27 maintenance programs and activities conducted pursuant to ss.
28 98.065 and, 98.075, ~~and 98.0977.~~ The records must include
29 lists of the name and address of each person to whom a an
30 ~~address confirmation final~~ notice was sent and information as
31 to whether each such person responded to the mailing, but may

1 not include any information that is confidential or exempt
2 from public records requirements under this code.

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

5 (a) The department shall compile and maintain a
6 statewide electronic database of valid residential street
7 addresses from the information provided by the supervisors of
8 elections pursuant to s. 98.015. The department shall evaluate
9 the information provided by the supervisors of elections to
10 identify any duplicate addresses and any address that may
11 overlap county boundaries.

12 (b) The department shall make the statewide database
13 of valid street addresses available to the Department of
14 Highway Safety and Motor Vehicles as provided in s.
15 97.057(10). The Department of Highway Safety and Motor
16 Vehicles shall use the database for purposes of validating the
17 legal residential addresses provided in voter registration
18 applications received by the Department of Highway Safety and
19 Motor Vehicles.

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

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

26 98.065 Registration list maintenance programs.--

27 (1) The supervisor must conduct a general registration
28 list maintenance program to protect the integrity of the
29 electoral process by ensuring the maintenance of accurate and
30 current voter registration records in the statewide voter
31 registration system. The program must be uniform,

1 nondiscriminatory, and in compliance with the Voting Rights
2 Act of 1965, the National Voter Registration Act of 1993, and
3 the Help America Vote Act of 2002. As used in this subsection,
4 the term "nondiscriminatory" applies to and includes persons
5 with disabilities.

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

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

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

15 (c) Change-of-address information is identified from
16 returned nonforwardable return-if-undeliverable address
17 confirmation requests mailed to all registered voters who have
18 not voted in the last 2 years and who did not make a written
19 request that their registration records be updated during that
20 time.

21 (3) A registration list maintenance program must be
22 conducted by each supervisor, at a minimum, in each
23 odd-numbered year and must be completed not later than 90 days
24 prior to the date of any federal election. All list
25 maintenance actions associated with each voter must be
26 entered, tracked, and maintained in the statewide voter
27 registration system.

28 (4)(a) If the supervisor receives change-of-address
29 information pursuant to the activities conducted in subsection
30 (2), from jury notices signed by the voter and returned to the
31 courts, from the Department of Highway Safety and Motor

1 Vehicles, or from other sources, which information indicates
2 that the legal address of a registered voter might have
3 changed, the supervisor shall send by forwardable
4 return-if-undeliverable mail an address confirmation notice to
5 the address at which the voter was last registered. A
6 supervisor may also send an address confirmation notice to any
7 voter who the supervisor has reason to believe has moved from
8 his or her legal residence.

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

11 1. If the voter has changed his or her address of
12 legal residence to a location outside the state, the voter
13 shall mark that the voter's legal residence has changed to a
14 location outside the state. The form shall also include
15 information on how to register in the new state in order to be
16 eligible to vote. The form must be returned within 30 days
17 after the date of the notice. The completed form shall
18 constitute a request to be removed from the statewide voter
19 registration system.

20 2. If the voter has changed his or her address of
21 legal residence to a location inside the state, the voter
22 shall set forth the updated or corrected address and submit
23 the return form within 30 days after the date of the notice.
24 The completed form shall constitute a request to update the
25 statewide voter registration system with the updated or
26 corrected address information.

27 3. If the voter has not changed his or her address of
28 legal residence as printed on the address confirmation notice,
29 the voter shall confirm that his or her address of legal
30 residence has not changed and submit the form within 30 days
31 after the date of the notice.

1 (c) The supervisor must designate as inactive all
2 voters who have been sent an address confirmation notice and
3 who have not returned the postage prepaid preaddressed return
4 form within 30 days or for which an address confirmation
5 notice has been returned as undeliverable. Names on the
6 inactive list may not be used to calculate the number of
7 signatures needed on any petition. A voter on the inactive
8 list may be restored to the active list of voters upon the
9 voter updating his or her registration, requesting an absentee
10 ballot, or appearing to vote. However, if the voter does not
11 update his or her voter registration information, request an
12 absentee ballot, or vote by the second general election after
13 being placed on the inactive list, the voter's name shall be
14 removed from the statewide voter registration system and the
15 voter shall be required to reregister to have his or her name
16 restored to the statewide voter registration system.

17 (5) A notice may not be issued pursuant to this
18 section and a voter's name may not be removed from the
19 statewide voter registration system later than 90 days prior
20 to the date of a federal election. However, this section does
21 not preclude the removal of the name of a voter from the
22 statewide voter registration system at any time upon the
23 voter's written request, by reason of the voter's death, or
24 upon a determination of the voter's ineligibility as provided
25 in s. 98.075(7).

26 (6)(a) No later than July 31 and January 31 of each
27 year, the supervisor must certify to the department the list
28 maintenance activities conducted during the first 6 months and
29 the second 6 months of the year, respectively, including the
30 number of address confirmation requests sent, the number of
31

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

3 (b) If, based on the certification provided pursuant
4 to paragraph (a), the department determines that a supervisor
5 has not conducted the list maintenance activities required by
6 this section, the department shall conduct the appropriate
7 list maintenance activities for that county. Failure to
8 conduct list maintenance activities as required in this
9 section constitutes a violation of s. 104.051. A voter's name
10 may not be removed from the registration books later than 90
11 days prior to the date of a federal election. However, nothing
12 in this section shall preclude the removal of the name of a
13 voter from the voter registration books, at any time and
14 without prior notification, upon the written request of the
15 voter, by reason of conviction of the voter of a felony, by
16 reason of adjudication of the voter as mentally incapacitated
17 with respect to voting, by reason of the death of the voter,
18 or upon a determination of ineligibility as provided in s.
19 98.075(3).

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

24 ~~(a) The voter has moved within the supervisor's~~
25 ~~county, the supervisor must change the registration records to~~
26 ~~show the new address and must send the voter a notice of the~~
27 ~~change by forwardable mail, including a postage prepaid~~
28 ~~preaddressed return form with which the voter may verify or~~
29 ~~correct the address information.~~

30 ~~(b) The voter has moved outside the supervisor's~~
31 ~~county, or contains no forwarding address, the supervisor~~

1 ~~shall send an address confirmation final notice and remove the~~
2 ~~name of the voter from the registration record if that voter~~
3 ~~did not:~~

4 1. ~~Return the postage prepaid preaddressed return~~
5 ~~form;~~

6 2. ~~Appear to vote;~~

7 3. ~~Change the voter's registration; or~~

8 4. ~~Request an absentee ballot~~

9

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

13 ~~(5) The supervisor must designate as inactive all~~
14 ~~voters who have been sent an address confirmation final notice~~
15 ~~and who have not returned the postage prepaid preaddressed~~
16 ~~return form within 30 days. A voter on the inactive list must~~
17 ~~be allowed to vote and to change the voter's name or address~~
18 ~~of legal residence at the polls pursuant to s. 101.045. Names~~
19 ~~on the inactive list may not be used to calculate the number~~
20 ~~of signatures needed on any petition or the quantity of voting~~
21 ~~equipment needed.~~

22 Section 20. Section 98.075, Florida Statutes, is
23 amended to read:

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

26 98.075 Registration records maintenance activities;
27 ineligibility determinations.--

28 (1) MAINTENANCE OF RECORDS.--The department shall
29 protect the integrity of the electoral process by ensuring the
30 maintenance of accurate and current voter registration
31 records. List maintenance activities must be uniform,

1 nondiscriminatory, and in compliance with the Voting Rights
2 Act of 1965, the National Voter Registration Act of 1993, and
3 the Help America Vote Act of 2002. The department may adopt by
4 rule uniform standards and procedures to interpret and
5 administer this section.

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

11 (3) DECEASED PERSONS.--The department shall identify
12 those registered voters who are deceased by comparing
13 information on the lists of deceased persons received from the
14 Department of Health as provided in s. 98.093. Upon receipt of
15 such information through the statewide voter registration
16 system, the supervisor shall remove the name of the registered
17 voter.

18 (4) ADJUDICATION OF MENTAL INCAPACITY.--The department
19 shall identify those registered voters who have been
20 adjudicated mentally incapacitated with respect to voting and
21 who have not had their voting rights restored by comparing
22 information received from the clerk of the circuit court as
23 provided in s. 98.093. The department shall review such
24 information and make an initial determination as to whether
25 the information is credible and reliable. If the department
26 determines that the information is credible and reliable, the
27 department shall notify the supervisor and provide a copy of
28 the supporting documentation indicating the potential
29 ineligibility of the voter to be registered. Upon receipt of
30 the notice that the department has made a determination of
31 initial credibility and reliability, the supervisor shall

1 adhere to the procedures set forth in subsection (7) prior to
2 the removal of a registered voter from the statewide voter
3 registration system.

4 (5) FELONY CONVICTION.--The department shall identify
5 those registered voters who have been convicted of a felony
6 and whose rights have not been restored by comparing
7 information received from, but not limited to, a clerk of the
8 circuit court, the Board of Executive Clemency, the Department
9 of Corrections, the Department of Law Enforcement, or a United
10 States Attorney's Office, as provided in s. 98.093. The
11 department shall review such information and make an initial
12 determination as to whether the information is credible and
13 reliable. If the department determines that the information is
14 credible and reliable, the department shall notify the
15 supervisor and provide a copy of the supporting documentation
16 indicating the potential ineligibility of the voter to be
17 registered. Upon receipt of the notice that the department has
18 made a determination of initial credibility and reliability,
19 the supervisor shall adhere to the procedures set forth in
20 subsection (7) prior to the removal of a registered voter's
21 name from the statewide voter registration system.

22 (6) OTHER BASES FOR INELIGIBILITY.--If the department
23 or supervisor receives information other than from the sources
24 identified in subsections (2)-(5) that a registered voter does
25 not meet the age requirement pursuant to s. 97.041, is not a
26 United States citizen, is a fictitious person, or has listed a
27 residence that is not his or her legal residence, the
28 supervisor shall adhere to the procedures set forth in
29 subsection (7) prior to the removal of a registered voter's
30 name from the statewide voter registration system.

31 (7) PROCEDURES FOR REMOVAL.--

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

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

7 a. A statement of the basis for the registered voter's
8 potential ineligibility and a copy of any documentation upon
9 which the potential ineligibility is based.

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

14 c. A return form that requires the registered voter to
15 admit or deny the accuracy of the information underlying the
16 potential ineligibility for purposes of a final determination
17 by the supervisor.

18 d. A statement that, if the voter is denying the
19 accuracy of the information underlying the potential
20 ineligibility, the voter has a right to request a hearing for
21 the purpose of determining eligibility.

22 e. Instructions for the registered voter to contact
23 the supervisor of elections of the county in which the voter
24 is registered if assistance is needed in resolving the matter.

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

27 2. If the mailed notice is returned as undeliverable,
28 the supervisor shall publish notice once in a newspaper of
29 general circulation in the county in which the voter was last
30 registered. The notice shall contain the following:

31 a. The voter's name and address.

1 b. A statement that the voter is potentially
2 ineligible to be registered to vote.

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

7 d. An instruction for the voter to contact the
8 supervisor no later than 30 days after the date of the
9 published notice to receive information regarding the basis
10 for the potential ineligibility and the procedure to resolve
11 the matter.

12 e. An instruction to the voter that, if further
13 assistance is needed, the voter should contact the supervisor
14 of elections of the county in which the voter is registered.

15 3. If a registered voter fails to respond to a notice
16 pursuant to subparagraph 1. or subparagraph 2., the supervisor
17 shall make a final determination of the voter's eligibility.
18 If the supervisor determines that the voter is ineligible, the
19 supervisor shall remove the name of the registered voter from
20 the statewide voter registration system. The supervisor shall
21 notify the registered voter of the supervisor's determination
22 and action.

23 4. If a registered voter responds to the notice
24 pursuant to subparagraph 1. or subparagraph 2. and admits the
25 accuracy of the information underlying the potential
26 ineligibility, the supervisor shall make a final determination
27 of ineligibility and shall remove the voter's name from the
28 statewide voter registration system. The supervisor shall
29 notify the registered voter of the supervisor's determination
30 and action.

31

1 5. If a registered voter responds to the notice issued
2 pursuant to subparagraph 1. or subparagraph 2. and denies the
3 accuracy of the information underlying the potential
4 ineligibility but does not request a hearing, the supervisor
5 shall review the evidence and make a final determination of
6 eligibility. If such registered voter requests a hearing, the
7 supervisor shall send notice to the registered voter to attend
8 a hearing at a time and place specified in the notice. Upon
9 hearing all evidence presented at the hearing, the supervisor
10 shall make a determination of eligibility. If the supervisor
11 determines that the registered voter is ineligible, the
12 supervisor shall remove the voter's name from the statewide
13 voter registration system and notify the registered voter of
14 the supervisor's determination and action.

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

16 1. All determinations of eligibility shall be based on
17 a preponderance of the evidence.

18 2. All proceedings are exempt from the provisions of
19 chapter 120.

20 3. Any notice shall be sent to the registered voter by
21 certified mail, return receipt requested, or other means that
22 provides a verification of receipt or shall be published in a
23 newspaper of general circulation where the voter was last
24 registered, whichever is applicable.

25 4. The supervisor shall remove the name of any
26 registered voter from the statewide voter registration system
27 only after the supervisor makes a final determination that the
28 voter is ineligible to vote.

29 5. Any voter whose name has been removed from the
30 statewide voter registration system pursuant to a
31

1 determination of ineligibility may appeal that determination
2 under the provisions of s. 98.0755.

3 6. Any voter whose name was removed from the statewide
4 voter registration system on the basis of a determination of
5 ineligibility who subsequently becomes eligible to vote must
6 reregister in order to have his or her name restored to the
7 statewide voter registration system.

8 (8) CERTIFICATION.--

9 (a) No later than July 31 and January 31 of each year,
10 the supervisor shall certify to the department the activities
11 conducted pursuant to this section during the first 6 months
12 and the second 6 months of the year, respectively. The
13 certification shall include the number of persons to whom
14 notices were sent pursuant to subsection (7), the number of
15 persons who responded to the notices, the number of notices
16 returned as undeliverable, the number of notices published in
17 the newspaper, the number of hearings conducted, and the
18 number of persons removed from the statewide voter
19 registration systems and the reasons for such removals.

20 (b) If, based on the certification provided pursuant
21 to paragraph (a), the department determines that a supervisor
22 has not satisfied the requirements of this section, the
23 department shall satisfy the appropriate requirements for that
24 county. Failure to satisfy the requirements of this section
25 shall constitute a violation of s. 104.051.

26 Section 21. Section 98.0755, Florida Statutes, is
27 created to read:

28 98.0755 Appeal of determination of
29 ineligibility.--Appeal of the supervisor's determination of
30 ineligibility pursuant to s. 98.075(7) may be taken to the
31 circuit court in and for the county where the person was

1 registered. Notice of appeal must be filed within the time and
2 in the manner provided by the Florida Rules of Appellate
3 Procedure and acts as supersedeas. Trial in the circuit court
4 is de novo and governed by the rules of that court. Unless the
5 person can show that his or her name was erroneously or
6 illegally removed from the statewide voter registration
7 system, or that he or she is indigent, the person must bear
8 the costs of the trial in the circuit court. Otherwise, the
9 cost of the appeal must be paid by the supervisor of
10 elections.

11 Section 22. Section 98.077, Florida Statutes, is
12 amended to read:

13 98.077 Update of voter signature.--

14 (1) A registered voter may update his or her signature
15 on file in the statewide voter registration system at any time
16 using a voter registration application submitted to a voter
17 registration official.

18 (2) The department and supervisors ~~supervisor~~ of
19 elections shall include in any correspondence, other than
20 postcard notifications and notices relating to eligibility,
21 sent to a ~~provide to each~~ registered voter information
22 regarding ~~of the county the opportunity to update his or her~~
23 signature on file at the supervisor's office by providing
24 notification of the ability to do so in any correspondence,
25 other than postcard notifications, sent to the voter. The
26 notice shall advise when, where, and how to update the voter's
27 signature and shall provide the voter information on how to
28 obtain a voter registration application ~~form~~ from a voter
29 registration official which ~~the supervisor that~~ can be
30 returned to update the signature.

31

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

9 (4) All signature updates for use in verifying
10 absentee and provisional ballots must be received by the
11 appropriate supervisor of elections no later than the start of
12 the canvassing of absentee ballots by the canvassing board.
13 The signature on file at the start of the canvass of the
14 absentees is the signature that shall be used in verifying the
15 signature on the absentee and provisional ballot certificates.

16 Section 23. Section 98.081, Florida Statutes, is
17 amended to read:

18 98.081 Names removed from the statewide voter
19 registration system ~~books~~; restrictions on reregistering;
20 recordkeeping; restoration of erroneously or illegally removed
21 names.--

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

28 (2) When the name of any elector is removed from the
29 statewide voter registration system ~~books~~ pursuant to s.
30 98.065 ~~or~~ s. 98.075, ~~or s. 98.093~~, the elector's original
31 registration application ~~form~~ shall be retained by the

1 supervisor of elections having custody of the application
2 ~~filed alphabetically in the office of the supervisor.~~ As
3 alternatives, registrations removed from the statewide voter
4 registration system books may be microfilmed and such
5 microfilms substituted for the original registration
6 applications forms; or, when voter registration information,
7 including the voter's signature, is maintained digitally or on
8 electronic, magnetic, or optic media, such stored information
9 may be substituted for the original registration application
10 ~~form~~. Such microfilms or stored information shall be retained
11 by the supervisor of elections having in the custody of the
12 ~~supervisor~~. In the event the original registration
13 applications forms are microfilmed or maintained digitally or
14 on electronic or other media, such originals may be destroyed
15 in accordance with the schedule approved by the Bureau of
16 Archives and Records Management of the Division of Library and
17 Information Services of the department.

18 (3) When the name of any elector has been erroneously
19 or illegally removed from the statewide voter registration
20 system books, the name of the elector shall be restored by a
21 voter registration official ~~the supervisor~~ upon satisfactory
22 proof, even though the registration period for that election
23 is closed.

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

26 98.093 Duty of officials to furnish lists of deceased
27 persons, persons adjudicated mentally incapacitated, and
28 persons convicted of a felony.--

29 (1) In order to ensure the maintenance of accurate and
30 current voter registration records, it is necessary for the
31 department to receive certain information from state and

1 federal officials and entities. The department and supervisors
2 of elections shall use the information provided from the
3 sources in subsection (2) to maintain the voter registration
4 records.

5 (2) To the maximum extent feasible, state and local
6 government agencies shall facilitate provision of information
7 and access to data to the department, including, but not
8 limited to, databases that contain reliable criminal records
9 and records of deceased persons. State and local government
10 agencies that provide such data shall do so without charge if
11 the direct cost incurred by those agencies is not significant.

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

18 (b)(2) Each clerk of the circuit court shall furnish
19 monthly to the department, ~~at least once each month, deliver~~
20 to each supervisor of elections a list of those persons who
21 have been adjudicated mentally incapacitated with respect to
22 voting during the preceding calendar month, a list of those
23 persons whose mental capacity with respect to voting has been
24 restored during the preceding calendar month, and a list of
25 those persons who have returned signed jury notices during the
26 preceding months to the clerk of the circuit court indicating
27 a change of address. Each list shall include ~~stating~~ the name,
28 address, date of birth, race, ~~and~~ sex, ~~and, whichever is~~
29 available, the Florida driver's license number, Florida
30 identification card number, or social security number of each
31 such person ~~convicted of a felony during the preceding~~

1 ~~calendar month who was a resident of that supervisor's county,~~
2 ~~a list stating the name, address, date of birth, race, and sex~~
3 ~~of each person adjudicated mentally incapacitated with respect~~
4 ~~to voting during the preceding calendar month who was a~~
5 ~~resident of that supervisor's county, and a list stating the~~
6 ~~name, address, date of birth, race, and sex of each person~~
7 ~~whose mental capacity with respect to voting has been restored~~
8 ~~who was a resident of that supervisor's county.~~

9 ~~(c)(3)~~ Upon receipt of information from the United
10 States Attorney, listing persons convicted of a felony in
11 federal court, the department shall use such information to
12 identify registered voters or applicants for voter
13 registration who may be potentially ineligible based on
14 information provided in accordance with s. 98.075 immediately
15 ~~forward such information to the supervisor of elections for~~
16 ~~the county where the offender resides.~~

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

23 (e) The Board of Executive Clemency shall furnish
24 monthly to the department a list of those persons granted
25 clemency in the preceding month or any updates to prior
26 records which have occurred in the preceding month. The list
27 shall contain the Board of Executive Clemency case number,
28 name, address, date of birth, race, sex, social security
29 number, if available, and references to record identifiers
30 assigned by the Department of Corrections, a unique identifier
31

1 of each clemency case, and the effective date of clemency of
2 each person.

3 (f) The Department of Corrections shall furnish
4 monthly to the department a list of those persons transferred
5 to the Department of Corrections in the preceding month or any
6 updates to prior records which have occurred in the preceding
7 month. The list shall contain the name, address, date of
8 birth, race, sex, social security number, Department of
9 Corrections record identification number, and associated
10 Department of Law Enforcement felony conviction record number
11 of each person.

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

19 ~~(4) Upon receipt of any such list, the supervisor~~
20 ~~shall remove from the registration books the name of any~~
21 ~~person listed who is deceased, convicted of a felony, or~~
22 ~~adjudicated mentally incapacitated with respect to voting. A~~
23 ~~person who has had his or her mental capacity with respect to~~
24 ~~voting restored or who has had his or her right to vote~~
25 ~~restored after conviction of a felony shall be required to~~
26 ~~reregister to have his or her name restored to the~~
27 ~~registration books.~~

28 ~~(3)(5)~~ Nothing in this section shall limit or restrict
29 the supervisor in his or her duty to remove the names of ~~such~~
30 persons from the statewide voter registration system pursuant
31

1 to s. 98.075(7) based upon ~~books~~ ~~after verification of~~
2 information received from other sources.

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

5 98.0981 Statewide voter registration database.--Within
6 75 days after a general election or within 15 days after all
7 supervisors of elections have updated voter history
8 information, whichever occurs later, the department shall send
9 to the President of the Senate, the Speaker of the House of
10 Representatives, the Senate Minority Leader, and the House
11 Minority Leader a report in electronic format of all voters
12 qualified to vote in the election or primary. The report shall
13 include for each voter the code used by the department to
14 uniquely identify the voter; all information provided in the
15 uniform statewide voter registration application pursuant to
16 s. 97.052(2), except what is specifically identified as
17 confidential or exempt from public-records requirements; the
18 date of registration; the representative district, senatorial
19 district, congressional district, and precinct in which the
20 voter resides; and whether the voter voted at the precinct
21 location, voted by early vote, voted by absentee ballot,
22 attempted to vote by absentee ballot that was not counted,
23 attempted to vote by provisional ballot that was not counted,
24 or did not vote.

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

27 98.212 Department and supervisors to furnish
28 statistical and other information.--

29 (1)(a) Upon written request, the department and any
30 supervisor of the respective counties ~~supervisors~~ shall, as
31 promptly as possible, furnish to recognized public or private

1 universities and senior colleges within the state, to state or
2 county governmental agencies, and to recognized political
3 party committees statistical information for the purpose of
4 analyzing election returns and results.

5 (b) The department and any supervisor ~~Supervisors~~ may
6 require reimbursement for any part or all of the actual
7 expenses of supplying any information requested under
8 paragraph (a). For the purposes of this subsection, the
9 department and supervisors may use the services of any
10 research and statistical personnel that may be supplied.

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

17 (2) The supervisors shall provide information as
18 requested by the department for program evaluation and
19 reporting to the ~~Federal~~ Election Assistance Commission
20 pursuant to federal law ~~the National Voter Registration Act of~~
21 ~~1993~~.

22 Section 27. Section 98.461, Florida Statutes, is
23 amended to read:

24 98.461 Registration application form ~~form~~, precinct
25 register; contents.--

26 (1) A registration application form ~~form~~, approved by the
27 Department of State, containing the information required in s.
28 97.052 shall be retained by the supervisor of elections of the
29 county of the applicant's registration filed alphabetically in
30 ~~the office of the supervisor as the master list of electors of~~
31 ~~the county~~. However, the registration application forms ~~forms~~ may be

1 microfilmed and such ~~microfilm~~ ~~microfilms~~ substituted for the
2 original registration application forms; or, when voter
3 registration information, including the voter's signature, is
4 maintained digitally or on electronic, magnetic, or optic
5 media, such stored information may be substituted for the
6 original registration application form. Such microfilms or
7 stored information shall be retained in the custody of the
8 supervisor of elections of the county of the applicant's
9 registration. In the event the original registration
10 applications forms are microfilmed or maintained digitally or
11 on electronic or other media, such originals may be destroyed
12 in accordance with the schedule approved by the Bureau of
13 Archives and Records Management of the Division of Library and
14 Information Services of the Department of State. ~~As an~~
15 ~~alternative, the information from the registration form,~~
16 ~~including the signature, may be electronically reproduced and~~
17 ~~stored as provided in s. 98.451.~~

18 (2) A computer printout or electronic database shall
19 be used at the polls as a precinct register ~~in lieu of the~~
20 ~~registration books~~. The precinct register shall contain the
21 date of the election, the precinct number, and the following
22 information concerning each registered elector: last name,
23 first name, ~~and~~ middle name or initial, and suffix; party
24 affiliation; residence address; registration number; date of
25 birth; sex, if provided; race, if provided; whether the voter
26 needs assistance in voting; and such other additional
27 information as to readily identify the elector. The precinct
28 register shall also contain a space for the elector's
29 signature and a space for the initials of the witnessing clerk
30 or inspector or an electronic device may be provided for this
31 purpose.

1 Section 28. Subsection (3) of section 101.001, Florida
2 Statutes, is amended to read:

3 101.001 Precincts and polling places; boundaries.--

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

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

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

24 1. Visible features that are readily distinguishable
25 upon the ground, such as streets, railroad tracks, streams,
26 and lakes, and that are indicated upon current census maps,
27 official Department of Transportation maps, official municipal
28 maps, official county maps, or a combination of such maps;

29 2. The boundaries of public parks, public school
30 grounds, or churches; or

31

1 3. The boundaries of counties and incorporated
2 municipalities.

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

6 Section 29. Effective January 1, 2007, section
7 100.371, Florida Statutes, as amended by section 9 of chapter
8 2002-281, Laws of Florida, is amended to read:

9 100.371 Initiatives; procedure for placement on
10 ballot.--

11 (1) Constitutional amendments proposed by initiative
12 shall be placed on the ballot for the general election
13 provided the initiative has been filed with ~~occurring in~~
14 ~~excess of 90 days from the certification of ballot position by~~
15 the Secretary of State no later than February 1 of the year
16 the general election is held. A petition shall be deemed to be
17 filed with the Secretary of State upon the date the secretary
18 determines that the petition has been signed by the
19 constitutionally required number of electors.

20 ~~(2) Such certification shall be issued when the~~
21 ~~Secretary of State has received verification certificates from~~
22 ~~the supervisors of elections indicating that the requisite~~
23 ~~number and distribution of valid signatures of electors have~~
24 ~~been submitted to and verified by the supervisors. Every~~
25 ~~signature shall be dated when made and shall be valid for a~~
26 ~~period of 4 years following such date, provided all other~~
27 ~~requirements of law are complied with.~~

28 ~~(2)(3)~~ The sponsor of an initiative amendment shall,
29 prior to obtaining any signatures, register as a political
30 committee pursuant to s. 106.03 and submit the text of the
31 proposed amendment to the Secretary of State, with the form on

1 | which the signatures will be affixed, and shall obtain the
2 | approval of the Secretary of State of such form. The Secretary
3 | of State shall adopt rules pursuant to s. 120.54 prescribing
4 | the style and requirements of such form. Upon filing with the
5 | Secretary of State, the text of the proposed amendment and all
6 | forms filed in connection with this section must, upon
7 | request, be made available in alternative formats.

8 | ~~(3)(4)~~ Each signature shall be dated when made and
9 | shall be valid for a period of 4 years following such date,
10 | provided all other requirements of law are met. The sponsor
11 | shall submit signed and dated forms to the appropriate
12 | supervisor of elections for verification as to the number of
13 | registered electors whose valid signatures appear thereon. The
14 | supervisor shall promptly verify the signatures upon payment
15 | of the fee required by s. 99.097. The supervisor shall
16 | promptly record each valid signature in the statewide voter
17 | registration system in the manner prescribed by the Secretary
18 | of State. ~~Upon completion of verification, the supervisor~~
19 | ~~shall execute a certificate indicating the total number of~~
20 | ~~signatures checked, the number of signatures verified as valid~~
21 | ~~and as being of registered electors, and the distribution by~~
22 | ~~congressional district. This certificate shall be immediately~~
23 | ~~transmitted to the Secretary of State.~~ The supervisor shall
24 | retain the signature forms for at least 1 year following the
25 | election in which the issue appeared on the ballot or until
26 | the Division of Elections notifies the supervisors of
27 | elections that the committee which circulated the petition is
28 | no longer seeking to obtain ballot position.

29 | ~~(4)(5)~~ The Secretary of State shall determine from the
30 | signatures verified by the ~~verification certificates received~~
31 | ~~from~~ supervisors of elections and recorded in the statewide

1 voter registration system the total number of verified valid
2 signatures and the distribution of such signatures by
3 congressional districts. Upon a determination that the
4 requisite number and distribution of valid signatures have
5 been obtained, the secretary shall issue a certificate of
6 ballot position for that proposed amendment and shall assign a
7 designating number pursuant to s. 101.161. ~~A petition shall be~~
8 ~~deemed to be filed with the Secretary of State upon the date~~
9 ~~of the receipt by the secretary of a certificate or~~
10 ~~certificates from supervisors of elections indicating the~~
11 ~~petition has been signed by the constitutionally required~~
12 ~~number of electors.~~

13 (5)(6)(a) Within 45 days after receipt of a proposed
14 revision or amendment to the State Constitution by initiative
15 petition from the Secretary of State ~~or, within 30 days after~~
16 ~~such receipt if receipt occurs 120 days or less before the~~
17 ~~election at which the question of ratifying the amendment will~~
18 ~~be presented~~, the Financial Impact Estimating Conference shall
19 complete an analysis and financial impact statement to be
20 placed on the ballot of the estimated increase or decrease in
21 any revenues or costs to state or local governments resulting
22 from the proposed initiative. The Financial Impact Estimating
23 Conference shall submit the financial impact statement to the
24 Attorney General and Secretary of State.

25 (b)1. The Financial Impact Estimating Conference shall
26 provide an opportunity for any proponents or opponents of the
27 initiative to submit information and may solicit information
28 or analysis from any other entities or agencies, including the
29 Office of Economic and Demographic Research. All meetings of
30 the Financial Impact Estimating Conference shall be open to
31 the public as provided in chapter 286.

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

14 3. Principals of the Financial Impact Estimating
15 Conference shall reach a consensus or majority concurrence on
16 a clear and unambiguous financial impact statement, no more
17 than 75 words in length, and immediately submit the statement
18 to the Attorney General. Nothing in this subsection prohibits
19 the Financial Impact Estimating Conference from setting forth
20 a range of potential impacts in the financial impact
21 statement. Any financial impact statement that a court finds
22 not to be in accordance with this section shall be remanded
23 solely to the Financial Impact Estimating Conference for
24 redrafting. The Financial Impact Estimating Conference shall
25 redraft the financial impact statement within 15 days.

26 4. If the members of the Financial Impact Estimating
27 Conference are unable to agree on the statement required by
28 this subsection, or if the Supreme Court has rejected the
29 initial submission by the Financial Impact Estimating
30 Conference and no redraft has been approved by the Supreme
31 Court by 5 p.m. on the 75th day before the election, the

1 following statement shall appear on the ballot pursuant to s.
2 101.161(1): "The financial impact of this measure, if any,
3 cannot be reasonably determined at this time."

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

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

17 2. If, by 5 p.m. on the 75th day before the election,
18 the Supreme Court has not issued an advisory opinion on the
19 initial financial impact statement prepared by the Financial
20 Impact Estimating Conference for an initiative amendment that
21 otherwise meets the legal requirements for ballot placement,
22 the financial impact statement shall be deemed approved for
23 placement on the ballot.

24 3. In addition to the financial impact statement
25 required by this subsection, the Financial Impact Estimating
26 Conference shall draft an initiative financial information
27 statement. The initiative financial information statement
28 should describe in greater detail than the financial impact
29 statement any projected increase or decrease in revenues or
30 costs that the state or local governments would likely
31 experience if the ballot measure were approved. If

1 appropriate, the initiative financial information statement
2 may include both estimated dollar amounts and a description
3 placing the estimated dollar amounts into context. The
4 initiative financial information statement must include both a
5 summary of not more than 500 words and additional detailed
6 information that includes the assumptions that were made to
7 develop the financial impacts, workpapers, and any other
8 information deemed relevant by the Financial Impact Estimating
9 Conference.

10 4. The Department of State shall have printed, and
11 shall furnish to each supervisor of elections, a copy of the
12 summary from the initiative financial information statements.
13 The supervisors shall have the summary from the initiative
14 financial information statements available at each polling
15 place and at the main office of the supervisor of elections
16 upon request.

17 5. The Secretary of State and the Office of Economic
18 and Demographic Research shall make available on the Internet
19 each initiative financial information statement in its
20 entirety. In addition, each supervisor of elections whose
21 office has a website shall post the summary from each
22 initiative financial information statement on the website.
23 Each supervisor shall include the Internet addresses for the
24 information statements on the Secretary of State's and the
25 Office of Economic and Demographic Research's websites in the
26 publication or mailing required by s. 101.20.

27 ~~(6)-(7)~~ The Department of State may adopt rules in
28 accordance with s. 120.54 to carry out the provisions of
29 subsections ~~(1)-(5)(1)-(6)~~.

30 Section 30. Subsections (1) and (3) of section
31 101.043, Florida Statutes, are amended to read:

1 101.043 Identification required at polls.--
2 (1) The precinct register, as prescribed in s. 98.461,
3 shall be used at the polls ~~in lieu of the registration books~~
4 for the purpose of identifying the elector at the polls prior
5 to allowing him or her to vote. The clerk or inspector shall
6 require each elector, upon entering the polling place, to
7 present one of the following ~~a~~ current and valid picture
8 identifications:
9 (a) Florida driver's license.
10 (b) Florida identification card issued by the
11 Department of Highway Safety and Motor Vehicles.
12 (c) United States passport.
13 (d) Employee badge or identification.
14 (e) Buyer's club identification.
15 (f) Debit or credit card.
16 (g) Military identification.
17 (h) Student identification.
18 (i) Retirement center identification.
19 (j) Neighborhood association identification.
20 (k) Entertainment identification.
21 (l) Public assistance identification ~~as provided in s.~~
22 ~~97.0535(3)(a).~~

23
24 If the picture identification does not contain the signature
25 of the voter, an additional identification that provides the
26 voter's signature shall be required. The elector shall sign
27 his or her name in the space provided on the precinct register
28 or on an electronic device provided for recording the voter's
29 signature. ~~and~~ The clerk or inspector shall compare the
30 signature with that on the identification provided by the
31 elector and enter his or her initials in the space provided on

1 the precinct register or on an electronic device provided for
2 that purpose and allow the elector to vote if the clerk or
3 inspector is satisfied as to the identity of the elector.

4 (3) If the elector who fails to furnish the required
5 identification is an elector subject to s. 97.0535 ~~a~~
6 ~~first time voter who registered by mail~~ and has not provided
7 the required identification to a voter registration official
8 ~~the supervisor of elections~~ prior to election day, the elector
9 shall be allowed to vote a provisional ballot. The canvassing
10 board shall determine the validity of the ballot pursuant to
11 s. 101.048(2).

12 Section 31. Subsections (2) and (3) of section
13 101.045, Florida Statutes, are amended to read:

14 101.045 Electors must be registered in precinct;
15 provisions for residence or name change.--

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

21 Change of Legal Residence of Registered
22 Voter
23

24 Under penalties for false swearing, I, (Name of voter) ,
25 swear (or affirm) that the former address of my legal
26 residence was (Address of legal residence) in the
27 municipality of _____, in _____ County, Florida, and I was
28 registered to vote in the _____ precinct of _____ County,
29 Florida; that I have not voted in the precinct of my former
30 registration in this election; that I now reside at (Address
31 of legal residence) in the Municipality of _____, in _____

1 County, Florida, and am therefore eligible to vote in the
2 _____ precinct of _____ County, Florida; and I further swear
3 (or affirm) that I am otherwise legally registered and
4 entitled to vote.

5 (Signature of voter whose address of legal
6 residence has changed)

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

11 Change of Name of Registered
12 Voter

13
14 Under penalties for false swearing, I, (New name of voter) ,
15 swear (or affirm) that my name has been changed
16 because of marriage or other legal process. My former name and
17 address of legal residence appear on the registration records
18 ~~books~~ of precinct _____ as follows:

19 Name

20 Address

21 Municipality

22 County

23 Florida, Zip

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

25 Name

26 Address

27 Municipality

28 County

29 Florida, Zip

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

1 (Signature of voter whose name has changed)

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

14 (d) Instead of the affirmation contained in paragraph
15 (a) or paragraph (b), an elector may complete a voter
16 registration application that indicates the change of name or
17 change of address of legal residence.

18 ~~(e) A request for an absentee ballot pursuant to s.~~
19 ~~101.62 which indicates that the elector has had a change of~~
20 ~~address of legal residence from that in the supervisor's~~
21 ~~records shall be sufficient as the notice to the supervisor of~~
22 ~~change of address of legal residence required by this section.~~
23 ~~Upon receipt of such request for an absentee ballot from an~~
24 ~~elector who has changed his or her address of legal residence,~~
25 ~~the supervisor shall provide the elector with the proper~~
26 ~~ballot for the precinct in which the elector then has his or~~
27 ~~her legal residence.~~

28 ~~(3) When an elector's name does not appear on the~~
29 ~~registration books of the election precinct in which the~~
30 ~~elector is registered, the elector may have his or her name~~
31 ~~restored if the supervisor is otherwise satisfied that the~~

1 ~~elector is validly registered, that the elector's name has~~
2 ~~been erroneously omitted from the books, and that the elector~~
3 ~~is entitled to have his or her name restored. The supervisor,~~
4 ~~if he or she is satisfied as to the elector's previous~~
5 ~~registration, shall allow such person to vote and shall~~
6 ~~thereafter issue a duplicate registration identification card.~~

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

9 101.048 Provisional ballots.--

10 (1) At all elections, a voter claiming to be properly
11 registered in the state county and eligible to vote at the
12 precinct in the election, but whose eligibility cannot be
13 determined, and other persons specified in the code shall be
14 entitled to vote a provisional ballot. Once voted, the
15 provisional ballot shall be placed in a secrecy envelope and
16 thereafter sealed in a provisional ballot envelope. The
17 provisional ballot shall be deposited in a ballot box. All
18 provisional ballots shall remain sealed in their envelopes for
19 return to the supervisor of elections. The department shall
20 prescribe the form of the provisional ballot envelope.

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

23 101.161 Referenda; ballots.--

24 (1) Whenever a constitutional amendment or other
25 public measure is submitted to the vote of the people, the
26 substance of such amendment or other public measure shall be
27 printed in clear and unambiguous language on the ballot after
28 the list of candidates, followed by the word "yes" and also by
29 the word "no," and shall be styled in such a manner that a
30 "yes" vote will indicate approval of the proposal and a "no"
31 vote will indicate rejection. The wording of the substance of

1 | the amendment or other public measure and the ballot title to
2 | appear on the ballot shall be embodied in the joint
3 | resolution, constitutional revision commission proposal,
4 | constitutional convention proposal, taxation and budget reform
5 | commission proposal, or enabling resolution or ordinance.
6 | Except for amendments and ballot language proposed by joint
7 | resolution, the substance of the amendment or other public
8 | measure shall be an explanatory statement, not exceeding 75
9 | words in length, of the chief purpose of the measure. In
10 | addition, for every amendment proposed by initiative, the
11 | ballot shall include, following the ballot summary, a separate
12 | financial impact statement concerning the measure prepared by
13 | the Financial Impact Estimating Conference in accordance with
14 | s. 100.371(5)(6). The ballot title shall consist of a caption,
15 | not exceeding 15 words in length, by which the measure is
16 | commonly referred to or spoken of.

17 | Section 34. Subsection (2) of section 101.56062,
18 | Florida Statutes, as created by chapter 2002-281, Laws of
19 | Florida, is amended to read:

20 | 101.56062 Standards for accessible voting systems.--

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

25 | Section 35. Subsection (1) of section 101.5608,
26 | Florida Statutes, is amended to read:

27 | 101.5608 Voting by electronic or electromechanical
28 | method; procedures.--

29 | (1) Each elector desiring to vote shall be identified
30 | to the clerk or inspector of the election as a duly qualified
31 | elector of such election and shall sign his or her name on the

1 ~~in ink or indelible pencil to an identification blank,~~
2 ~~signature slip,~~ precinct register, or other form or device
3 provided by the supervisor ~~ballot stub on which the ballot~~
4 ~~serial number may be recorded.~~ The inspector shall compare the
5 signature with the signature on the identification provided by
6 the elector. If the inspector is reasonably sure that the
7 person is entitled to vote, the inspector shall provide the
8 person with a ballot.

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

11 101.573 Record of votes by precinct.--

12 (1) Within 75 days after the date of a municipal
13 election or runoff, whichever occurs later, a presidential
14 preference primary, or a general election, the supervisor of
15 elections shall file with the Department of State
16 precinct-level election results for that election cycle,
17 including any primary elections. Precinct-level election
18 results shall record for each precinct the returns of ballots
19 cast at the precinct location to which have been added the
20 returns of absentee and early ballots cast by voters
21 registered in the precinct.

22 (2) The Department of State shall adopt rules pursuant
23 to ss. 120.536(1) and 120.54 prescribing the form by which
24 supervisors of elections shall submit election results for
25 each precinct.

26 Section 37. Paragraph (a) of subsection (4) of section
27 101.62, Florida Statutes, is amended to read:

28 101.62 Request for absentee ballots.--

29 (4)(a) To each absent qualified elector overseas who
30 has requested an absentee ballot, the supervisor of elections
31 shall, not fewer than 35 days before the first primary

1 | election, mail an absentee ballot. Not fewer than 45 days
2 | before the second primary and general election, the supervisor
3 | of elections shall mail an advance absentee ballot to those
4 | persons requesting ballots for such elections. The advance
5 | absentee ballot for the second primary shall be the same as
6 | the first primary absentee ballot as to the names of
7 | candidates, except that for any offices where there are only
8 | two candidates, those offices and all political party
9 | executive committee offices shall be omitted. Except as
10 | provided in ss. 99.063(4) and 100.371(5)(~~6~~), the advance
11 | absentee ballot for the general election shall be as specified
12 | in s. 101.151, except that in the case of candidates of
13 | political parties where nominations were not made in the first
14 | primary, the names of the candidates placing first and second
15 | in the first primary election shall be printed on the advance
16 | absentee ballot. The advance absentee ballot or advance
17 | absentee ballot information booklet shall be of a different
18 | color for each election and also a different color from the
19 | absentee ballots for the first primary, second primary, and
20 | general election. The supervisor shall mail an advance
21 | absentee ballot for the second primary and general election to
22 | each qualified absent elector for whom a request is received
23 | until the absentee ballots are printed. The supervisor shall
24 | enclose with the advance second primary absentee ballot and
25 | advance general election absentee ballot an explanation
26 | stating that the absentee ballot for the election will be
27 | mailed as soon as it is printed; and, if both the advance
28 | absentee ballot and the absentee ballot for the election are
29 | returned in time to be counted, only the absentee ballot will
30 | be counted. The Department of State may prescribe by rule the
31 |

1 requirements for preparing and mailing absentee ballots to
2 absent qualified electors overseas.

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

5 101.64 Delivery of absentee ballots; envelopes;
6 form.--

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

10 Section 39. Paragraph (a) of subsection (1) of section
11 101.657, Florida Statutes, is amended to read:

12 101.657 Early voting.--

13 (1)(a) The supervisor of elections shall allow an
14 elector to vote early in the main or branch office of the
15 supervisor by depositing the voted ballot in a voting device
16 used by the supervisor to collect or tabulate ballots. The
17 supervisor shall mark, code, indicate on, or otherwise track
18 the voter's precinct for each early voted ballot. In order for
19 a branch office to be used for early voting, it shall be a
20 full-service facility of the supervisor and shall have been
21 designated as such at least 1 year prior to the election. The
22 supervisor may designate any city hall or public library as
23 early voting sites; however, if so designated, the sites must
24 be geographically located so as to provide all voters in the
25 county an equal opportunity to cast a ballot, insofar as is
26 practicable. The results or tabulation may not be made before
27 the close of the polls on election day.

28 Section 40. Section 101.663, Florida Statutes, is
29 amended to read:

30 101.663 Electors; change of residence to another
31 state.--

1 ~~(1) An elector who changes his or her residence to~~
2 ~~another county in Florida from the county in Florida in which~~
3 ~~he or she is registered as an elector after the books in the~~
4 ~~county to which the elector has changed his or her residence~~
5 ~~are closed for any general, primary, or special election shall~~
6 ~~be permitted to vote absentee in the county of his or her~~
7 ~~former residence in that election for President and Vice~~
8 ~~President, United States Senator, statewide offices, and~~
9 ~~statewide issues. Such person shall not be permitted to vote~~
10 ~~in the county of the person's former residence after the~~
11 ~~general election.~~

12 ~~(2)~~ An elector registered in this state who moves his
13 or her permanent residence to another state and who is
14 prohibited by the laws of that state from voting for the
15 offices of President and Vice President of the United States
16 shall be permitted to vote absentee in the county of his or
17 her former residence for those offices.

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

20 101.6921 Delivery of special absentee ballot to
21 certain first-time voters.--

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

27 Section 42. Section 101.6923, Florida Statutes, is
28 amended to read:

29 101.6923 Special absentee ballot instructions for
30 certain first-time voters.--

31

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

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

9
10 READ THESE INSTRUCTIONS CAREFULLY BEFORE
11 MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE
12 INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO
13 COUNT.

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

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

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

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

29 5. Insert the secrecy envelope into the enclosed
30 envelope bearing the Voter's Certificate. Seal the envelope
31

1 and completely fill out the Voter's Certificate on the back of
2 the envelope.

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

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

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

11 a. Identification which must include your name and
12 photograph: ~~current and valid Florida driver's license;~~
13 ~~Florida identification card issued by the Department of~~
14 ~~Highway Safety and Motor Vehicles;~~ United States passport;
15 employee badge or identification; buyer's club identification
16 card; debit or credit card; military identification; student
17 identification; retirement center identification; neighborhood
18 association identification; entertainment identification; or
19 public assistance identification; or

20 b. Identification which shows your name and current
21 residence address: current utility bill, bank statement,
22 government check, paycheck, or government document (excluding
23 voter identification card).

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

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

27 b. You have a temporary or permanent physical
28 disability.

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

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

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

8 f. You are currently residing outside the United
9 States.

10 8. Place the envelope bearing the Voter's Certificate
11 into the mailing envelope addressed to the supervisor. Insert
12 a copy of your identification in the mailing envelope. DO NOT
13 PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE
14 BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S
15 CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.

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

19 10. FELONY NOTICE. It is a felony under Florida law to
20 accept any gift, payment, or gratuity in exchange for your
21 vote for a candidate. It is also a felony under Florida law to
22 vote in an election using a false identity or false address,
23 or under any other circumstances making your ballot false or
24 fraudulent.

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

27 102.012 Inspectors and clerks to conduct elections.--

28 (3) The supervisor shall furnish inspectors of
29 election for each precinct with the list of registered
30 electors for that precinct ~~registration books divided~~
31 ~~alphabetically as will best facilitate the holding of an~~

1 ~~election~~. The supervisor shall also furnish to the inspectors
2 of election at the polling place at each precinct in the
3 supervisor's county a sufficient number of forms and blanks
4 for use on election day.

5 Section 44. Subsections (1), (2), and (3) of section
6 104.013, Florida Statutes, are amended to read:

7 104.013 Unauthorized use, possession, or destruction
8 of voter information ~~registration identification~~ card.--

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

14 (2) It is unlawful for any person to barter, trade,
15 sell, or give away a voter information ~~registration~~
16 ~~identification~~ card unless said person has been duly
17 authorized to issue a voter information ~~registration~~
18 ~~identification~~ card.

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

22 Section 45. Subsection (2) of section 106.08, Florida
23 Statutes, is amended to read:

24 106.08 Contributions; limitations on.--

25 (2)(a) A candidate may not accept contributions from
26 national, state, including any subordinate committee of a
27 national, state, or county committee of a political party, and
28 county executive committees of a political party, which
29 contributions in the aggregate exceed \$50,000, no more than
30 \$25,000 of which may be accepted prior to the 28-day period
31 immediately preceding the date of the general election.

1 (b) A candidate for statewide office may not accept
2 contributions from national, state, or county executive
3 committees of a political party, including any subordinate
4 committee of a national, state, or county committee of a
5 political party, which contributions in the aggregate exceed
6 \$250,000, no more than \$125,000 of which may be accepted prior
7 to the 28-day period immediately preceding the date of the
8 general election. Polling services, research services, costs
9 for campaign staff, professional consulting services, and
10 telephone calls are not contributions to be counted toward the
11 contribution limits of paragraph (a) or paragraph (b). Any
12 item not expressly identified in this paragraph as
13 nonallocable is a contribution in an amount equal to the fair
14 market value of the item and must be counted as allocable
15 toward the ~~\$50,000~~ contribution limits of paragraph (a) or
16 paragraph (b). Nonallocable, in-kind contributions must be
17 reported by the candidate under s. 106.07 and by the political
18 party under s. 106.29.

19 Section 46. Section 106.34, Florida Statutes, is
20 amended to read:

21 106.34 Expenditure limits.--

22 (1) Any candidate for Governor and Lieutenant Governor
23 or Cabinet officer who requests contributions from the
24 Election Campaign Financing Trust Fund shall limit his or her
25 total expenditures as follows:

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

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

30
31

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

4 (3) For purposes of this section, "Florida-registered
5 voter" means a voter who is registered to vote in Florida as
6 of June 30 of each odd-numbered year. The Division of
7 Elections shall certify the total number of Florida-registered
8 voters no later than July 31 of each odd-numbered year. Such
9 total number shall be calculated by adding the number of
10 registered voters in each county as of June 30 in the year of
11 the certification date. For the 2006 general election, the
12 Division of Elections shall certify the total number of
13 Florida-registered voters by July 31, 2005. The expenditure
14 limit shall be adjusted by the Secretary of State
15 quadrennially to reflect the rate of inflation or deflation as
16 indicated in the Consumer Price Index for All Urban Consumers,
17 U.S. City Average, All Items, 1967=100, or successor reports
18 as reported by the United States Department of Labor, Bureau
19 of Labor Statistics.

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

24 Section 47. Section 196.141, Florida Statutes, is
25 amended to read:

26 196.141 Homestead exemptions; duty of property
27 appraiser.--

28 ~~(1)~~ The property appraiser shall examine each claim
29 for exemption filed with or referred to him or her and shall
30 allow the same, if found to be in accordance with law, by
31

1 marking the same approved and by making the proper deductions
2 on the tax books.

3 ~~(2) The property appraiser shall examine each~~
4 ~~referral, of a person registering to vote at an address~~
5 ~~different from the one where the person has filed for a~~
6 ~~homestead exemption, which has been provided by a supervisor~~
7 ~~of elections pursuant to s. 98.015. The property appraiser~~
8 ~~shall initiate procedures to terminate a person's homestead~~
9 ~~exemption and assess back taxes, if appropriate, if the person~~
10 ~~claiming such exemption is not entitled to the exemption under~~
11 ~~law.~~

12 Section 48. Subsection (4) of section 120.54, Florida
13 Statutes, is amended to read:

14 120.54 Rulemaking.--

15 (4) EMERGENCY RULES.--

16 (a) If an agency finds that an immediate danger to the
17 public health, safety, or welfare requires emergency action,
18 the agency may adopt any rule necessitated by the immediate
19 danger. The agency may adopt a rule by any procedure which is
20 fair under the circumstances if:

21 1. The procedure provides at least the procedural
22 protection given by other statutes, the State Constitution, or
23 the United States Constitution.

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

26 3. The agency publishes in writing at the time of, or
27 prior to, its action the specific facts and reasons for
28 finding an immediate danger to the public health, safety, or
29 welfare and its reasons for concluding that the procedure used
30 is fair under the circumstances. In any event, notice of
31 emergency rules, other than those of educational units or

1 units of government with jurisdiction in only one or a part of
2 one county, including the full text of the rules, shall be
3 published in the first available issue of the Florida
4 Administrative Weekly and provided to the committee. The
5 agency's findings of immediate danger, necessity, and
6 procedural fairness shall be judicially reviewable.

7 (b) Rules pertaining to the public health, safety, or
8 welfare shall include rules pertaining to perishable
9 agricultural commodities or rules pertaining to the
10 interpretation and implementation of the requirements of
11 chapters 97 through 102 and 105 of the Election Code which are
12 filed when not more than 60 days remain before an election as
13 defined in s. 97.021 or which are filed during the time period
14 after the election and before certification of the election
15 pursuant to s. 102.112 or s. 102.12.

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

22 (d) Subject to applicable constitutional and statutory
23 provisions, an emergency rule becomes effective immediately on
24 filing, or on a date less than 20 days thereafter if specified
25 in the rule, if the adopting agency finds that such effective
26 date is necessary because of immediate danger to the public
27 health, safety, or welfare.

28 Section 49. Subsection (1) of section 99.061, Florida
29 Statutes, is amended to read:

30 99.061 Method of qualifying for nomination or election
31 to federal, state, county, or district office.--

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

21 Section 50. Sections 98.055, 98.095, 98.0977, 98.0979,
22 98.101, 98.181, 98.231, 98.451, 98.481, and 101.635, Florida
23 Statutes, are repealed.

24 Section 51. Subsection (3) of section 106.33, Florida
25 Statutes, is amended to read:

26 106.33 Election campaign financing; eligibility.--Each
27 candidate for the office of Governor or member of the Cabinet
28 who desires to receive contributions from the Election
29 Campaign Financing Trust Fund shall, upon qualifying for
30 office, file a request for such contributions with the filing
31 officer on forms provided by the Division of Elections. If a

1 candidate requesting contributions from the fund desires to
2 have such funds distributed by electronic fund transfers, the
3 request shall include information necessary to implement that
4 procedure. For the purposes of ss. 106.30-106.36, candidates
5 for Governor and Lieutenant Governor on the same ticket shall
6 be considered as a single candidate. To be eligible to
7 receive contributions from the fund, a candidate may not be an
8 unopposed candidate as defined in s. 106.011(15) and must:

9 (3) Limit loans or contributions from the candidate's
10 personal funds to \$25,000 and contributions from national,
11 state, and county executive committees of a political party to
12 ~~\$250,000~~\$25,000 in the aggregate, which loans or
13 contributions shall not qualify for meeting the threshold
14 amounts in subsection (2).

15 Section 52. Except as otherwise expressly provided in
16 this act, this act shall take effect January 1, 2006.

17
18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
19 COMMITTEE SUBSTITUTE FOR
20 CS Senate Bill 2176

21 The committee substitute requires, within a specific time
22 frame after an election, the Department of State to send to
23 the Legislature a report in electronic format of all voters
24 qualified to vote in the election; requires the Department of
25 Law Enforcement to identify those persons who have been
26 convicted of a felony who appear in the voter registration
27 system in a time and manner that enables the department to
28 meet its obligations under law; permits a supervisor of
29 elections to furnish a list associating census blocks in a
30 county with its precinct, if the precincts are composed of
31 whole census blocks; requires precincts established under law
to consist of areas bounded on all sides only by certain
features; increases the maximum allowable contribution
political parties may make to statewide candidates; and
revises the expenditure limits for candidates receiving
contributions from the Election Campaign Financing Trust Fund.