Florida Senate - 2005

CS for SB 496

By the Committee on Ethics and Elections; and Senator Hill

582-2159-05

1	A bill to be entitled
2	An act relating to voter intimidation; creating
3	s. 104.0615, F.S.; providing a short title;
4	prohibiting a person from using or threatening
5	to use force, violence, or intimidation to
6	induce or compel an individual to vote or
7	refrain from voting, to refrain from
8	registering to vote, or to refrain from acting
9	as an election official or poll watcher;
10	prohibiting a person from knowingly using false
11	information to challenge an individual's right
12	to vote, to induce an individual to refrain
13	from registering to vote, or to induce or
14	attempt to induce an individual to refrain from
15	acting as an election official or poll watcher;
16	prohibiting a person from knowingly destroying,
17	mutilating, or defacing a voter registration
18	form or election ballot or obstructing or
19	delaying the delivery of a voter registration
20	form or election ballot; providing criminal
21	penalties; providing an effective date.
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23	Be It Enacted by the Legislature of the State of Florida:
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25	Section 1. Section 104.0615, Florida Statutes, is
26	created to read:
27	104.0615 Voter intimidation or suppression prohibited;
28	criminal penalties
29	(1) This section shall be cited as the "Voter
30	Protection Act."
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CODING: Words stricken are deletions; words <u>underlined</u> are additions.

1 (2) A person may not directly or indirectly use or 2 threaten to use force, violence, or intimidation or any tactic of coercion or intimidation to induce or compel an individual 3 4 to: 5 (a) Vote or refrain from voting; б (b) Vote or refrain from voting for any particular 7 individual or ballot measure; (c) Refrain from registering to vote; or 8 9 (d) Refrain from acting as a legally authorized 10 election official or poll watcher. (3) A person may not knowingly use false information 11 12 to: 13 (a) Challenge an individual's right to vote; (b) Induce or attempt to induce an individual to 14 refrain from voting or registering to vote; or 15 (c) Induce or attempt to induce an individual to 16 17 refrain from acting as a legally authorized election official 18 or poll watcher. 19 (4) A person may not knowingly destroy, mutilate, or deface a voter registration form or election ballot or 20 21 obstruct or delay the delivery of a voter registration form or 22 election ballot. 23 (5) A person who violates subsection (2), subsection (3), or subsection (4) commits a felony of the third degree, 2.4 punishable as provided in s. 775.082, s. 775.083, or s. 25 775.084. 26 27 Section 2. This act shall take effect July 1, 2005. 28 29 30 31

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1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2	COMMITTEE SUBSTITUTE FOR Senate Bill 496
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4	The Committee Substitute deletes references to second degree
5	felonies, and makes a violation of any subsection of the act a third degree felony.
6	child degree leiony.
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