

1 Section 1. Subsections (1), (3), and (4) of section
2 99.097, Florida Statutes, are amended, and subsection (6) is
3 added to that section, to read:

4 99.097 Verification of signatures on petitions.--

5 (1) As determined by each supervisor, based upon local
6 conditions, the verification of signatures ~~checking of names~~
7 on petitions may be based on the most inexpensive and
8 administratively feasible of either of the following methods
9 of verification:

10 (a) A name-by-name, signature-by-signature check of
11 the number of valid ~~authorized~~ signatures on the petitions; or

12 (b) A check of a random sample, as provided by the
13 Department of State, of names and signatures on the petitions.
14 The sample must be such that a determination can be made as to
15 whether or not the required number of valid signatures has
16 ~~have~~ been obtained with a reliability of at least 99.5
17 percent. Rules and guidelines for this method of petition
18 verification shall be promulgated by the Department of State,
19 which may include a requirement that petitions bear an
20 additional number of names and signatures, not to exceed 15
21 percent of the names and signatures otherwise required. If
22 the petitions do not meet such criteria, then the use of the
23 verification method described in this paragraph shall not be
24 available to supervisors.

25
26 Notwithstanding any other provision of law, petitions to
27 secure ballot placement for an issue, and petition revocations
28 directed thereto pursuant to s. 100.371, must be verified by
29 the method provided in paragraph (a).

30 (3)(a) A signature name ~~name~~ on a petition, in a name that
31 ~~which name~~ is not in substantially the same form as a name on

1 the voter registration books, shall be counted as a valid
2 signature if, after comparing the signature on the petition
3 with the signature of the alleged signer as shown on the
4 registration books, the supervisor determines that the person
5 signing the petition and the person who registered to vote are
6 one and the same. In any situation in which this code
7 requires the form of the petition to be prescribed by the
8 division, no signature shall be counted toward the number of
9 signatures required unless it is on a petition form prescribed
10 by the division.

11 (b) If a voter signs a petition and lists an address
12 other than the legal residence where the voter is registered,
13 the supervisor shall treat the signature as if the voter had
14 listed the address where the voter is registered.

15 (4)(a) The supervisor shall be paid in advance the sum
16 of 10 cents for each signature verified ~~checked~~ or the actual
17 cost of verifying ~~checking~~ such signature, whichever is less,
18 by the candidate or, in the case of a petition to have an
19 issue placed on the ballot by initiative, by the initiative
20 sponsor ~~person or organization submitting the petition~~.
21 However, if a candidate or initiative sponsor, ~~person, or~~
22 ~~organization seeking to have an issue placed upon the ballot~~
23 cannot pay such charges without imposing an undue burden on
24 personal resources or upon the resources otherwise available
25 to such candidate or initiative sponsor, ~~person, or~~
26 ~~organization~~, such candidate or initiative sponsor, ~~person, or~~
27 ~~organization~~ shall, upon written certification of such
28 inability given under oath to the supervisor, be entitled to
29 have the signatures verified at no charge. In the event a
30 candidate or initiative sponsor, ~~person, or organization~~
31 ~~submitting a petition to have an issue placed upon the ballot~~

1 is entitled to have the signatures verified at no charge, the
2 supervisor of elections of each county in which the signatures
3 are verified at no charge shall submit the total number of
4 such signatures checked in the county to the Chief Financial
5 Officer no later than December 1 of the general election year,
6 and the Chief Financial Officer shall cause such supervisor of
7 elections to be reimbursed from the General Revenue Fund in an
8 amount equal to 10 cents for each signature verified ~~name~~
9 ~~checked~~ or the actual cost of verifying ~~checking~~ such
10 signatures, whichever is less. In no event shall such
11 reimbursement of costs be deemed or applied as extra
12 compensation for the supervisor. Petitions shall be retained
13 by the supervisors for a period of 1 year following the
14 election for which the petitions were circulated.

15 (b) An initiative sponsor that has filed a
16 certification of undue burden may not provide compensation to
17 any paid petition circulator, as defined in s. 100.371, unless
18 the initiative sponsor first pays all supervisors for each
19 signature verified or reimburses the General Revenue Fund for
20 such costs. If an initiative sponsor subject to this paragraph
21 provides compensation to a paid petition circulator before the
22 date the initiative sponsor pays all supervisors for each
23 signature verified or reimburses the General Revenue Fund for
24 such costs, no signature on a petition circulated by the paid
25 petition circulator before that date may be counted toward the
26 number of valid signatures required for ballot placement until
27 the initiative sponsor pays all supervisors for each signature
28 checked or reimburses the General Revenue Fund for such costs.

29 (6)(a) The alleged improper verification of a
30 signature on a petition to secure ballot placement for an
31 issue pursuant to this code may be contested in the circuit

1 court by a political committee or by an elector. The
2 contestant shall file a complaint setting forth the basis of
3 the contest, together with the fees prescribed in chapter 28,
4 with the clerk of the circuit court in the county in which the
5 petition is certified or in Leon County if the complaint is
6 directed to petitions certified in more than one county.

7 (b) If the contestant demonstrates by a preponderance
8 of the evidence that one or more petitions were improperly
9 verified, the signatures appearing on such petitions may not
10 be counted toward the number of valid signatures required for
11 ballot placement. If an action brought under this subsection
12 is resolved after the Secretary of State has issued a
13 certificate of ballot position for the issue, but the
14 contestant demonstrates that the initiative sponsor had
15 obtained verification of an insufficient number of valid and
16 verified signatures to qualify for ballot placement, the issue
17 shall be removed from the ballot or, if such action is
18 impractical, any votes cast for or against the issue may not
19 be counted and shall be invalidated.

20 (c) An action under this subsection must be commenced
21 no later than 90 days after the Secretary of State issues a
22 certificate of ballot position for the issue.

23 Section 2. Section 100.371, Florida Statutes, is
24 amended to read:

25 100.371 Initiatives; procedure for placement on
26 ballot.--

27 (1) Constitutional amendments proposed by initiative
28 shall be placed on the ballot for the general election if an
29 initiative petition is filed with the Secretary of State by
30 February 1 of the year in which the general election is to be
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1 ~~held occurring in excess of 90 days from the certification of~~
2 ~~ballot position by the Secretary of State.~~

3 (2) Certification of ballot position ~~Such~~
4 ~~certification~~ shall be issued when the Secretary of State has
5 received verification certificates from the supervisors of
6 elections indicating that the requisite number and
7 distribution of valid petitions bearing the signatures of
8 electors have been submitted to and verified by the
9 supervisors. Every signature shall be dated by the elector
10 when made. Signatures are ~~and shall be~~ valid for a period of 4
11 years following such date, provided all other requirements of
12 law are satisfied ~~complied with~~.

13 (3) The sponsor of an initiative amendment shall,
14 prior to obtaining any signatures, register as a political
15 committee pursuant to s. 106.03 and submit the text of the
16 proposed amendment to the Secretary of State, with the form on
17 which the signatures will be affixed, and shall obtain the
18 approval of the Secretary of State of such form. The form
19 shall consist of a single card or sheet of paper unconnected
20 with any other card or sheet of paper and must be circulated
21 for signatures in this format. ~~The division Secretary of State~~
22 shall adopt rules pursuant to s. 120.54 prescribing the style
23 and requirements of such form. Upon filing with the Secretary
24 of State, the text of the proposed amendment and all forms
25 filed in connection with this section must, upon request, be
26 made available in alternative formats. The contents of a
27 petition form are limited to those items required by statute
28 or rule. A petition form is a political advertisement as
29 defined in s. 106.011 and, as such, must comply with all
30 relevant requirements of chapter 106.

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1 (4) The supervisor of elections shall record the date
2 each petition form is received by the supervisor and the date
3 the signature on the form is verified as valid. The supervisor
4 shall verify that the signature on a petition form is valid
5 only if the form complies with all of the following:

6 (a) The form must contain the original signature of
7 the purported elector;

8 (b) The purported elector must accurately record on
9 the form the date on which he or she signed the form;

10 (c) The date the elector signed the form, as recorded
11 by the elector, must be no more than 35 days before the date
12 the form is received by the supervisor of elections;

13 (d) The form must accurately set forth the purported
14 elector's name, street address, county, and voter registration
15 number or date of birth; and

16 (e) The purported elector must be, at the time he or
17 she signs the form, a duly qualified and registered elector
18 authorized to vote in the county in which his or her signature
19 is submitted.

20 (5) An elector's signature on a petition form may be
21 revoked by submitting to the appropriate supervisor of
22 elections a signed petition-revocation form adopted by rule
23 for this purpose by the division. The petition-revocation form
24 is subject to the same relevant requirements as the
25 corresponding petition form under this code and must be
26 approved by the Secretary of State before any signature is
27 obtained. The petition-revocation form shall be filed with the
28 supervisor of elections no later than the February 1 preceding
29 the next general election or, if the initiative amendment is
30 not certified for ballot position in that election, no later
31 than the February 1 preceding the next successive general

1 election. The supervisor of elections shall promptly verify
2 the signature on the petition-revocation form and process such
3 revocation within 30 days after receiving payment of a fee of
4 10 cents or the actual cost of verifying such signature,
5 whichever is less.

6 (6)(a) If a person is presented with a petition form
7 or petition-revocation form for his or her possible signature
8 by a petition circulator, then the person must record this
9 fact on the form and the name and address of the petition
10 circulator must legibly appear on the form before the
11 signature on the form may be verified by the supervisor. For
12 purposes of this subsection, "petition circulator" means any
13 person who, in the context of a direct face-to-face
14 conversation, presents to another person for his or her
15 possible signature a petition form or petition-revocation form
16 regarding ballot placement for an initiative.

17 (b) A paid petition circulator shall, when engaged in
18 the activities described in paragraph (1)(a), wear a prominent
19 badge, in a form and manner prescribed by rule by the
20 division, identifying him or her as a "PAID PETITION
21 CIRCULATOR." For purposes of this subsection, "paid petition
22 circulator" means a petition circulator who receives any
23 compensation as a direct or indirect consequence of these
24 activities.

25 (7) In addition to any other practice or action
26 permissible under law, an owner, lessee, or other person
27 lawfully exercising control over private property may:

28 (a) Prohibit persons from engaging in activity on the
29 property which supports or opposes initiatives;
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1 (b) Permit or prohibit persons from engaging in
2 activity on the property in support of or opposition to a
3 particular initiative; or

4 (c) Permit persons to engage in activity on the
5 property which supports or opposes initiatives, subject to
6 restrictions with respect to time, place, and manner which are
7 reasonable and uniformly applied.

8 (8) A signed petition form or petition-revocation form
9 regarding ballot placement for an initiative which does not
10 fully comply with the applicable provisions of this code, or
11 which was obtained in violation of the applicable provisions
12 of this code, may be verified by the supervisor of elections
13 and counted toward the number of valid signatures required for
14 ballot placement only after those deficiencies or violations
15 are corrected.

16 (9)(4) The sponsor shall submit signed and dated forms
17 to the appropriate supervisor of elections for verification as
18 to the number of registered electors whose valid signatures
19 appear thereon. The supervisor shall promptly verify the
20 signatures within 30 days after receiving ~~upon~~ payment of the
21 fee required by s. 99.097. Upon completion of verification,
22 the supervisor shall execute a certificate indicating the
23 total number of signatures checked, the number of signatures
24 verified as valid and as being of registered electors, the
25 number of signatures validly revoked pursuant to subsection
26 (5), and the distribution of such signatures by congressional
27 district. This certificate shall be immediately transmitted to
28 the Secretary of State. The supervisor shall retain the signed
29 petition ~~signature~~ forms and petition-revocation forms for at
30 least 1 year following the election in which the issue
31 appeared on the ballot or until the Division of Elections

1 notifies the supervisors of elections that the committee which
2 circulated the petition is no longer seeking to obtain ballot
3 position.

4 ~~(10)(5)~~ The Secretary of State shall determine from
5 the verification certificates received from supervisors of
6 elections the total number of verified valid signatures and
7 the distribution of such signatures by congressional
8 districts. Upon a determination that the requisite number and
9 distribution of valid signatures have been obtained, the
10 secretary shall issue a certificate of ballot position for
11 that proposed amendment and shall assign a designating number
12 pursuant to s. 101.161. A petition shall be deemed to be filed
13 with the Secretary of State upon the date of the receipt by
14 the secretary of a certificate or certificates from
15 supervisors of elections indicating that valid and verified
16 ~~the petition forms have~~ ~~has~~ been signed by the
17 constitutionally required number and distribution of electors
18 pursuant to this code, subject to the right of revocation
19 established in this section.

20 ~~(11)(6)(a)~~ Within 45 days after receipt of a proposed
21 revision or amendment to the State Constitution by initiative
22 petition from the Secretary of State ~~or, within 30 days after~~
23 ~~such receipt if receipt occurs 120 days or less before the~~
24 ~~election at which the question of ratifying the amendment will~~
25 ~~be presented~~, the Financial Impact Estimating Conference shall
26 complete an analysis and financial impact statement to be
27 placed on the ballot of the estimated increase or decrease in
28 any revenues or costs to state or local governments resulting
29 from the proposed initiative. The ballot must include a
30 statement, as prescribed by rule of the Department of State,
31 to the effect that the financial impact statement is required

1 under the State Constitution and the Florida Statutes and
2 should not be construed as an endorsement by the state of the
3 proposed revision or amendment to the State Constitution. The
4 Financial Impact Estimating Conference shall submit the
5 financial impact statement to the Attorney General and
6 Secretary of State.

7 (b)1. The Financial Impact Estimating Conference shall
8 provide an opportunity for any proponents or opponents of the
9 initiative to submit information and may solicit information
10 or analysis from any other entities or agencies, including the
11 Office of Economic and Demographic Research. All meetings of
12 the Financial Impact Estimating Conference shall be open to
13 the public as provided in chapter 286.

14 2. The Financial Impact Estimating Conference is
15 established to review, analyze, and estimate the financial
16 impact of amendments to or revisions of the State Constitution
17 proposed by initiative. The Financial Impact Estimating
18 Conference shall consist of four principals: one person from
19 the Executive Office of the Governor; the coordinator of the
20 Office of Economic and Demographic Research, or his or her
21 designee; one person from the professional staff of the
22 Senate; and one person from the professional staff of the
23 House of Representatives. Each principal shall have
24 appropriate fiscal expertise in the subject matter of the
25 initiative. A Financial Impact Estimating Conference may be
26 appointed for each initiative.

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

1 | the Financial Impact Estimating Conference from setting forth
2 | a range of potential impacts in the financial impact
3 | statement. Any financial impact statement that a court finds
4 | not to be in accordance with this section shall be remanded
5 | solely to the Financial Impact Estimating Conference for
6 | redrafting. The Financial Impact Estimating Conference shall
7 | redraft the financial impact statement within 15 days.

8 | 4. If the members of the Financial Impact Estimating
9 | Conference are unable to agree on the statement required by
10 | this subsection, or if the Supreme Court has rejected the
11 | initial submission by the Financial Impact Estimating
12 | Conference and no redraft has been approved by the Supreme
13 | Court by April 1 of the year in which the general election is
14 | to be held ~~5 p.m. on the 75th day before the election~~, the
15 | following statement shall appear on the ballot pursuant to s.
16 | 101.161(1): "The financial impact of this measure, if any,
17 | cannot be reasonably determined at this time."

18 | (c) The financial impact statement must be separately
19 | contained and be set forth after the ballot summary as
20 | required in s. 101.161(1).

21 | (d)1. Any financial impact statement that the Supreme
22 | Court finds not to be in accordance with this subsection shall
23 | be remanded solely to the Financial Impact Estimating
24 | Conference for redrafting, provided the court's advisory
25 | opinion is rendered by April 1 of the year in which the
26 | general election is to be held ~~at least 75 days before the~~
27 | ~~election at which the question of ratifying the amendment will~~
28 | ~~be presented~~. The Financial Impact Estimating Conference shall
29 | prepare and adopt a revised financial impact statement no
30 | later than 5 p.m. on the 15th day after the date of the
31 | court's opinion.

1 2. If, by 5 p.m. on April 1 of the year in which the
2 general election is to be held ~~the 75th day before the~~
3 ~~election~~, the Supreme Court has not issued an advisory opinion
4 on the initial financial impact statement prepared by the
5 Financial Impact Estimating Conference for an initiative
6 amendment that otherwise meets the legal requirements for
7 ballot placement, the financial impact statement shall be
8 deemed approved for placement on the ballot.

9 3. In addition to the financial impact statement
10 required by this subsection, the Financial Impact Estimating
11 Conference shall draft an initiative financial information
12 statement. The initiative financial information statement
13 should describe in greater detail than the financial impact
14 statement any projected increase or decrease in revenues or
15 costs that the state or local governments would likely
16 experience if the ballot measure were approved. If
17 appropriate, the initiative financial information statement
18 may include both estimated dollar amounts and a description
19 placing the estimated dollar amounts into context. The
20 initiative financial information statement must include both a
21 summary of not more than 500 words and additional detailed
22 information that includes the assumptions that were made to
23 develop the financial impacts, workpapers, and any other
24 information deemed relevant by the Financial Impact Estimating
25 Conference.

26 4. The Department of State shall have printed, and
27 shall furnish to each supervisor of elections, a copy of the
28 summary from the initiative financial information statements.
29 The supervisors shall have the summary from the initiative
30 financial information statements available at each polling
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1 place and at the main office of the supervisor of elections
2 upon request.

3 5. The Secretary of State and the Office of Economic
4 and Demographic Research shall make available on the Internet
5 each initiative financial information statement in its
6 entirety. In addition, each supervisor of elections whose
7 office has a website shall post the summary from each
8 initiative financial information statement on the website.
9 Each supervisor shall include the Internet addresses for the
10 information statements on the Secretary of State's and the
11 Office of Economic and Demographic Research's websites in the
12 publication or mailing required by s. 101.20.

13 ~~(12)(7)~~ The division ~~Department of State~~ may adopt
14 rules in accordance with s. 120.54 to carry out this section
15 ~~the provisions of subsections (1) (6).~~

16 Section 3. Section 28 of chapter 2005-278, Laws of
17 Florida, is repealed.

18 Section 4. Effective January 1, 2007, section 100.371,
19 Florida Statutes, as amended by this act, is amended to read:

20 100.371 Initiatives; procedure for placement on
21 ballot.--

22 (1) Constitutional amendments proposed by initiative
23 shall be placed on the ballot for the general election if an
24 initiative petition is filed with the Secretary of State by
25 February 1 of the year in which the general election is to be
26 held. A petition shall be deemed to be filed with the
27 Secretary of State upon the date that the secretary determines
28 that valid and verified petitions have been signed by the
29 constitutionally required number and distribution of electors
30 pursuant to this code, subject to the right of revocation
31 established in this section.

1 ~~(2) Certification of ballot position shall be issued~~
2 ~~when the Secretary of State has received verification~~
3 ~~certificates from the supervisors of elections indicating that~~
4 ~~the requisite number and distribution of valid petitions~~
5 ~~bearing the signatures of electors have been submitted to and~~
6 ~~verified by the supervisors. Every signature shall be dated by~~
7 ~~the elector when made. Signatures are valid for a period of 4~~
8 ~~years following such date, provided all other requirements of~~
9 ~~law are satisfied.~~

10 ~~(2)~~⁽³⁾ The sponsor of an initiative amendment shall,
11 prior to obtaining any signatures, register as a political
12 committee pursuant to s. 106.03 and submit the text of the
13 proposed amendment to the Secretary of State, with the form on
14 which the signatures will be affixed, and shall obtain the
15 approval of the Secretary of State of such form. The form
16 shall consist of a single card or sheet of paper unconnected
17 with any other card or sheet of paper and must be circulated
18 for signatures in this format. The division shall adopt rules
19 pursuant to s. 120.54 prescribing the style and requirements
20 of such form. Upon filing with the Secretary of State, the
21 text of the proposed amendment and all forms filed in
22 connection with this section must, upon request, be made
23 available in alternative formats. The contents of a petition
24 form are limited to those items required by statute or rule. A
25 petition form is a political advertisement as defined in s.
26 106.011 and, as such, must comply with all relevant
27 requirements of chapter 106.

28 ~~(3)~~⁽⁴⁾ The supervisor of elections shall record the
29 date each petition form is received by the supervisor and the
30 date the signature on the form is verified as valid. The
31 supervisor shall also promptly record these dates in the

1 statewide voter registration system in the manner prescribed
2 by the Secretary of State. The supervisor shall verify that
3 the signature on a petition form is valid only if the form
4 complies with all of the following:

5 (a) The form must contain the original signature of
6 the purported elector;

7 (b) The purported elector must accurately record on
8 the form the date on which he or she signed the form;

9 (c) The date the elector signed the form, as recorded
10 by the elector, must be no more than 35 days before the date
11 the form is received by the supervisor of elections;

12 (d) The form must accurately set forth the purported
13 elector's name, street address, county, and voter registration
14 number or date of birth; and

15 (e) The purported elector must be, at the time he or
16 she signs the form, a duly qualified and registered elector
17 authorized to vote in the county in which his or her signature
18 is submitted.

19 ~~(4)(5)~~ An elector's signature on a petition form may
20 be revoked by submitting to the appropriate supervisor of
21 elections a signed petition-revocation form adopted by rule
22 for this purpose by the division. The petition-revocation form
23 is subject to the same relevant requirements as the
24 corresponding petition form under this code and must be
25 approved by the Secretary of State before any signature is
26 obtained. The petition-revocation form shall be filed with the
27 supervisor of elections no later than the February 1 preceding
28 the next general election or, if the initiative amendment is
29 not certified for ballot position in that election, no later
30 than the February 1 preceding the next successive general
31 election. The supervisor of elections shall promptly verify

1 the signature on the petition-revocation form and process such
2 revocation within 30 days after receiving payment of a fee of
3 10 cents or the actual cost of verifying such signature,
4 whichever is less. The supervisor shall promptly record each
5 valid petition-revocation in the statewide voter registration
6 system in the manner prescribed by the Secretary of State.

7 ~~(5)(6)~~(a) If a person is presented with a petition
8 form or petition-revocation form for his or her possible
9 signature by a petition circulator, then the person must
10 record this fact on the form and the name and address of the
11 petition circulator must legibly appear on the form before the
12 signature on the form may be verified by the supervisor. For
13 purposes of this subsection, "petition circulator" means any
14 person who, in the context of a direct face-to-face
15 conversation, presents to another person for his or her
16 possible signature a petition form or petition-revocation form
17 regarding ballot placement for an initiative.

18 (b) A paid petition circulator shall, when engaged in
19 the activities described in paragraph (1)(a), wear a prominent
20 badge, in a form and manner prescribed by rule by the
21 division, identifying him or her as a "PAID PETITION
22 CIRCULATOR." For purposes of this subsection, "paid petition
23 circulator" means a petition circulator who receives any
24 compensation as a direct or indirect consequence of these
25 activities.

26 ~~(6)(7)~~ In addition to any other practice or action
27 permissible under law, an owner, lessee, or other person
28 lawfully exercising control over private property may:

29 (a) Prohibit persons from engaging in activity on the
30 property which supports or opposes initiatives;

31

1 (b) Permit or prohibit persons from engaging in
2 activity on the property in support of or opposition to a
3 particular initiative; or

4 (c) Permit persons to engage in activity on the
5 property which supports or opposes initiatives, subject to
6 restrictions with respect to time, place, and manner which are
7 reasonable and uniformly applied.

8 ~~(7)(8)~~ A signed petition form or petition-revocation
9 form regarding ballot placement for an initiative which does
10 not fully comply with the applicable provisions of this code,
11 or which was obtained in violation of the applicable
12 provisions of this code, may be verified by the supervisor of
13 elections and counted toward the number of valid signatures
14 required for ballot placement only after those deficiencies or
15 violations are corrected.

16 ~~(8)(9)~~ Each signature shall be dated by the elector
17 when made and shall be valid for a period of 4 years following
18 such date, if all other requirements of law are met. The
19 sponsor shall submit signed and dated forms to the appropriate
20 supervisor of elections for verification as to the number of
21 registered electors whose valid signatures appear thereon. The
22 supervisor shall promptly verify the signatures within 30 days
23 after receiving payment of the fee required by s. 99.097. The
24 supervisor shall promptly record each petition verified as
25 valid in the statewide voter registration system in the manner
26 prescribed by the Secretary of State. ~~Upon completion of~~
27 ~~verification, the supervisor shall execute a certificate~~
28 ~~indicating the total number of signatures checked, the number~~
29 ~~of signatures verified as valid and as being of registered~~
30 ~~electors, the number of signatures validly revoked pursuant to~~
31 ~~subsection (5), and the distribution of such signatures by~~

1 ~~congressional district. This certificate shall be immediately~~
2 ~~transmitted to the Secretary of State.~~ The supervisor shall
3 retain the signed petition forms and petition-revocation forms
4 for at least 1 year following the election in which the issue
5 appeared on the ballot or until the Division of Elections
6 notifies the supervisors of elections that the committee which
7 circulated the petition is no longer seeking to obtain ballot
8 position.

9 ~~(9)(10)~~ The Secretary of State shall determine from
10 the signatures verified by the ~~verification certificates~~
11 ~~received from~~ supervisors of elections and recorded in the
12 statewide voter registration system the total number of
13 verified valid signatures and the distribution of such
14 signatures by congressional districts. Upon a determination
15 that the requisite number and distribution of valid signatures
16 have been obtained, the secretary shall issue a certificate of
17 ballot position for that proposed amendment and shall assign a
18 designating number pursuant to s. 101.161. ~~A petition shall be~~
19 ~~deemed to be filed with the Secretary of State upon the date~~
20 ~~of the receipt by the secretary of a certificate or~~
21 ~~certificates from supervisors of elections indicating that~~
22 ~~valid and verified petition forms have been signed by the~~
23 ~~constitutionally required number and distribution of electors~~
24 ~~pursuant to this code, subject to the right of revocation~~
25 ~~established in this section.~~

26 ~~(10)(11)(a)~~ Within 45 days after receipt of a proposed
27 revision or amendment to the State Constitution by initiative
28 petition from the Secretary of State, the Financial Impact
29 Estimating Conference shall complete an analysis and financial
30 impact statement to be placed on the ballot of the estimated
31 increase or decrease in any revenues or costs to state or

1 | local governments resulting from the proposed initiative. The
2 | ballot must include a statement, as prescribed by rule of the
3 | Department of State, to the effect that the financial impact
4 | statement is required under the State Constitution and the
5 | Florida Statutes and should not be construed as an endorsement
6 | by the state of the proposed revision or amendment to the
7 | State Constitution. The Financial Impact Estimating Conference
8 | shall submit the financial impact statement to the Attorney
9 | General and Secretary of State.

10 | (b)1. The Financial Impact Estimating Conference shall
11 | provide an opportunity for any proponents or opponents of the
12 | initiative to submit information and may solicit information
13 | or analysis from any other entities or agencies, including the
14 | Office of Economic and Demographic Research. All meetings of
15 | the Financial Impact Estimating Conference shall be open to
16 | the public as provided in chapter 286.

17 | 2. The Financial Impact Estimating Conference is
18 | established to review, analyze, and estimate the financial
19 | impact of amendments to or revisions of the State Constitution
20 | proposed by initiative. The Financial Impact Estimating
21 | Conference shall consist of four principals: one person from
22 | the Executive Office of the Governor; the coordinator of the
23 | Office of Economic and Demographic Research, or his or her
24 | designee; one person from the professional staff of the
25 | Senate; and one person from the professional staff of the
26 | House of Representatives. Each principal shall have
27 | appropriate fiscal expertise in the subject matter of the
28 | initiative. A Financial Impact Estimating Conference may be
29 | appointed for each initiative.

30 | 3. Principals of the Financial Impact Estimating
31 | Conference shall reach a consensus or majority concurrence on

1 a clear and unambiguous financial impact statement, no more
2 than 75 words in length, and immediately submit the statement
3 to the Attorney General. Nothing in this subsection prohibits
4 the Financial Impact Estimating Conference from setting forth
5 a range of potential impacts in the financial impact
6 statement. Any financial impact statement that a court finds
7 not to be in accordance with this section shall be remanded
8 solely to the Financial Impact Estimating Conference for
9 redrafting. The Financial Impact Estimating Conference shall
10 redraft the financial impact statement within 15 days.

11 4. If the members of the Financial Impact Estimating
12 Conference are unable to agree on the statement required by
13 this subsection, or if the Supreme Court has rejected the
14 initial submission by the Financial Impact Estimating
15 Conference and no redraft has been approved by the Supreme
16 Court by April 1 of the year in which the general election is
17 to be held, the following statement shall appear on the ballot
18 pursuant to s. 101.161(1): "The financial impact of this
19 measure, if any, cannot be reasonably determined at this
20 time."

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

24 (d)1. Any financial impact statement that the Supreme
25 Court finds not to be in accordance with this subsection shall
26 be remanded solely to the Financial Impact Estimating
27 Conference for redrafting, provided the court's advisory
28 opinion is rendered by April 1 of the year in which the
29 general election is to be held. The Financial Impact
30 Estimating Conference shall prepare and adopt a revised
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1 financial impact statement no later than 5 p.m. on the 15th
2 day after the date of the court's opinion.

3 2. If, by 5 p.m. on April 1 of the year in which the
4 general election is to be held, the Supreme Court has not
5 issued an advisory opinion on the initial financial impact
6 statement prepared by the Financial Impact Estimating
7 Conference for an initiative amendment that otherwise meets
8 the legal requirements for ballot placement, the financial
9 impact statement shall be deemed approved for placement on the
10 ballot.

11 3. In addition to the financial impact statement
12 required by this subsection, the Financial Impact Estimating
13 Conference shall draft an initiative financial information
14 statement. The initiative financial information statement
15 should describe in greater detail than the financial impact
16 statement any projected increase or decrease in revenues or
17 costs that the state or local governments would likely
18 experience if the ballot measure were approved. If
19 appropriate, the initiative financial information statement
20 may include both estimated dollar amounts and a description
21 placing the estimated dollar amounts into context. The
22 initiative financial information statement must include both a
23 summary of not more than 500 words and additional detailed
24 information that includes the assumptions that were made to
25 develop the financial impacts, workpapers, and any other
26 information deemed relevant by the Financial Impact Estimating
27 Conference.

28 4. The Department of State shall have printed, and
29 shall furnish to each supervisor of elections, a copy of the
30 summary from the initiative financial information statements.
31 The supervisors shall have the summary from the initiative

1 financial information statements available at each polling
2 place and at the main office of the supervisor of elections
3 upon request.

4 5. The Secretary of State and the Office of Economic
5 and Demographic Research shall make available on the Internet
6 each initiative financial information statement in its
7 entirety. In addition, each supervisor of elections whose
8 office has a website shall post the summary from each
9 initiative financial information statement on the website.
10 Each supervisor shall include the Internet addresses for the
11 information statements on the Secretary of State's and the
12 Office of Economic and Demographic Research's websites in the
13 publication or mailing required by s. 101.20.

14 ~~(11)(12)~~ The division may adopt rules in accordance
15 with s. 120.54 to carry out this section.

16 Section 5. Subsection (1) of section 101.161, Florida
17 Statutes, is amended to read:

18 101.161 Referenda; ballots.--

19 (1) Whenever a constitutional amendment or other
20 public measure is submitted to the vote of the people, the
21 substance of such amendment or other public measure shall be
22 printed in clear and unambiguous language on the ballot after
23 the list of candidates, followed by the word "yes" and also by
24 the word "no," and shall be styled in such a manner that a
25 "yes" vote will indicate approval of the proposal and a "no"
26 vote will indicate rejection. The wording of the substance of
27 the amendment or other public measure and the ballot title to
28 appear on the ballot shall be embodied in the joint
29 resolution, constitutional revision commission proposal,
30 constitutional convention proposal, taxation and budget reform
31 commission proposal, or enabling resolution or ordinance.

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

12 Section 6. Section 33 of chapter 2005-278, Laws of
13 Florida, is repealed.

14 Section 7. Effective January 1, 2007, subsection (1)
15 of section 101.161, Florida Statutes, as amended by this act,
16 is amended to read:

17 101.161 Referenda; ballots.--

18 (1) Whenever a constitutional amendment or other
19 public measure is submitted to the vote of the people, the
20 substance of such amendment or other public measure shall be
21 printed in clear and unambiguous language on the ballot after
22 the list of candidates, followed by the word "yes" and also by
23 the word "no," and shall be styled in such a manner that a
24 "yes" vote will indicate approval of the proposal and a "no"
25 vote will indicate rejection. The wording of the substance of
26 the amendment or other public measure and the ballot title to
27 appear on the ballot shall be embodied in the joint
28 resolution, constitutional revision commission proposal,
29 constitutional convention proposal, taxation and budget reform
30 commission proposal, or enabling resolution or ordinance.

31 Except for amendments and ballot language proposed by joint

1 resolution, the substance of the amendment or other public
2 measure shall be an explanatory statement, not exceeding 75
3 words in length, of the chief purpose of the measure. In
4 addition, for every amendment proposed by initiative, the
5 ballot shall include, following the ballot summary, a separate
6 financial impact statement concerning the measure prepared by
7 the Financial Impact Estimating Conference in accordance with
8 s. 100.371(10) ~~s. 100.371(11)~~. The ballot title shall consist
9 of a caption, not exceeding 15 words in length, by which the
10 measure is commonly referred to or spoken of.

11 Section 8. Any signature gathered on a previously
12 approved initiative petition form that has been submitted for
13 verification before August 1, 2006, may be verified and
14 counted, if otherwise valid. However, any initiative petition
15 form that is submitted for verification on or after that date
16 may be verified and counted only if it complies with this act
17 and has been approved by the Secretary of State before
18 obtaining elector signatures.

19 Section 9. If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 invalidity does not affect other provisions or applications of
22 the act which can be given effect without the invalid
23 provision or application, and to this end the provisions of
24 this act are severable.

25 Section 10. Except as otherwise expressly provided in
26 this act, this act shall take effect August 1, 2006.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 720

Committee Substitute for Senate Bill 720 imposes a series of requirements on the initiative petition process. The committee substitute prohibits issue petition sponsors who file certifications of undue burden from paying petition circulators before paying supervisors or reimbursing the General Revenue Fund for the costs of verifying signatures. The proposed language provides for petition review through which an elector may revoke his or her signature on a petition. The committee substitute codifies the current requirement that issue petitions and petition revocations must be verified by a name-by-name, signature-by-signature check of the number of valid signatures on the petitions. The committee substitute clarifies the rights of property owners with regard to petition circulators. The proposed language also provides procedures to contest the improper verification of signatures in court. The committee substitute also revises the procedures for placing an initiative on the ballot and the requirements for information on petitions.