

By Senator Dawson

29-321-07

1                                   A bill to be entitled  
2           An act relating to elections; amending s.  
3           97.041, F.S.; providing for automatic  
4           restoration of former felons' right to vote  
5           following completion and satisfaction of  
6           sentence of incarceration and community  
7           supervision; providing conditions for such  
8           automatic restoration; amending ss. 97.052 and  
9           97.053, F.S., to conform; providing a  
10          conditional effective date.

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

14           Section 1. This act may be cited as the "Citizens'  
15 Empowerment Act."

16           Section 2. Paragraph (b) of subsection (2) of section  
17 97.041, Florida Statutes, is amended to read:

18           97.041 Qualifications to register or vote.--

19           (2) The following persons, who might be otherwise  
20 qualified, are not entitled to register or vote:

21           (b) A person who has been convicted of any felony by  
22 any court of record; however, such a person's right to  
23 register or vote is automatically restored by operation of law  
24 1 year after completion and satisfaction of all sentences  
25 imposed upon such person and who has not had his or her right  
26 to vote restored pursuant to law. For the purposes of this  
27 paragraph, "completion and satisfaction of all sentences"  
28 occurs when a person is released from incarceration upon  
29 expiration of sentence and has achieved or completed all other  
30 nonmonetary terms and conditions of the sentence or subsequent  
31 supervision or, if the person has not been incarcerated for

1 the felony offense, has achieved or completed all nonmonetary  
2 terms and conditions of community supervision imposed by a  
3 court. If a majority of the Board of Executive Clemency  
4 objects before the automatic restoration of the right to  
5 register or vote, such rights shall be restored only upon  
6 application to, and approval by, the Board of Executive  
7 Clemency.

8 Section 3. Subsection (2) of section 97.052, Florida  
9 Statutes, is amended to read:

10 97.052 Uniform statewide voter registration  
11 application.--

12 (2) The uniform statewide voter registration  
13 application must be designed to elicit the following  
14 information from the applicant:

15 (a) Last, first, and middle name, including any  
16 suffix.

17 (b) Date of birth.

18 (c) Address of legal residence.

19 (d) Mailing address, if different.

20 (e) County of legal residence.

21 (f) Race or ethnicity that best describes the  
22 applicant:

23 1. American Indian or Alaskan Native.

24 2. Asian or Pacific Islander.

25 3. Black, not Hispanic.

26 4. White, not Hispanic.

27 5. Hispanic.

28 (g) State or country of birth.

29 (h) Sex.

30 (i) Party affiliation.

31 (j) Whether the applicant needs assistance in voting.

1 (k) Name and address where last registered.

2 (l) Last four digits of the applicant's social  
3 security number.

4 (m) Florida driver's license number or the  
5 identification number from a Florida identification card  
6 issued under s. 322.051.

7 (n) An indication, if applicable, that the applicant  
8 has not been issued a Florida driver's license, a Florida  
9 identification card, or a social security number.

10 (o) Telephone number (optional).

11 (p) Signature of applicant under penalty for false  
12 swearing pursuant to s. 104.011, by which the person  
13 subscribes to the oath required by s. 3, Art. VI of the State  
14 Constitution and s. 97.051, and swears or affirms that the  
15 information contained in the registration application is true.

16 (q) Whether the application is being used for initial  
17 registration, to update a voter registration record, or to  
18 request a replacement voter information card.

19 (r) Whether the applicant is a citizen of the United  
20 States by asking the question "Are you a citizen of the United  
21 States of America?" and providing boxes for the applicant to  
22 check to indicate whether the applicant is or is not a citizen  
23 of the United States.

24 (s) Whether the applicant has been convicted of a  
25 felony, and, if convicted, has had his or her voting ~~civil~~  
26 rights restored by including the statement "I affirm I am not  
27 a convicted felon, or, if I am, my rights relating to voting  
28 have been restored." and providing a box for the applicant to  
29 check to affirm the statement.

30 (t) Whether the applicant has been adjudicated  
31 mentally incapacitated with respect to voting or, if so

1 adjudicated, has had his or her right to vote restored by  
2 including the statement "I affirm I have not been adjudicated  
3 mentally incapacitated with respect to voting, or, if I have,  
4 my competency has been restored." and providing a box for the  
5 applicant to check to affirm the statement.

6  
7 The registration application must be in plain language and  
8 designed so that convicted felons whose voting ~~civil~~ rights  
9 have been restored and persons who have been adjudicated  
10 mentally incapacitated and have had their voting rights  
11 restored are not required to reveal their prior conviction or  
12 adjudication.

13 Section 4. Paragraph (a) of subsection (5) of section  
14 97.053, Florida Statutes, is amended to read:

15 97.053 Acceptance of voter registration  
16 applications.--

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

- 20 1. The applicant's name.
- 21 2. The applicant's legal residence address.
- 22 3. The applicant's date of birth.
- 23 4. A mark in the checkbox affirming that the applicant  
24 is a citizen of the United States.

25 5.a. The applicant's current and valid Florida  
26 driver's license number or the identification number from a  
27 Florida identification card issued under s. 322.051, or

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

