

By the Committee on Judiciary; and Senator Posey

590-2499-07

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A bill to be entitled

An act relating to initiative petitions;
providing a short title; amending s. 100.371,
F.S.; requiring initiative petition forms to be
signed by the constitutionally required
distribution of electors; providing procedures
for revocation of a signature on a petition
form; providing an effective date.

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

Section 1. This act may be cited as the "Beatrice T. Posey Truth in Petition Act."

Section 2. Subsection (1) of section 100.371, Florida Statutes, is amended, present subsection (6) of that section is renumbered as subsection (7) and amended, and a new subsection (6) is added to that section, to read:

100.371 Initiatives; procedure for placement on ballot.--

(1) Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified ~~the~~ petition forms have ~~has~~ been signed by the constitutionally required number and distribution of electors under this code, subject to the right of revocation established in this section.

(6)(a) An elector's signature on a petition form may be revoked by submitting to the appropriate supervisor of

1 elections a signed petition-revocation form adopted by rule
2 for this purpose by the division.

3 (b) The petition-revocation form and the manner in
4 which signatures are obtained, submitted, and verified shall
5 be subject to the same relevant requirements and timeframes as
6 the corresponding petition form and processes under this code
7 and shall be approved by the Secretary of State before any
8 signature on a petition-revocation form is obtained.

9 (c) Supervisors of elections shall provide
10 petition-revocation forms to the public at all main and branch
11 offices.

12 (d) The petition-revocation form shall be filed with
13 the supervisor of elections by February 1 preceding the next
14 general election or, if the initiative amendment is not
15 certified for ballot position in that election, by February 1
16 preceding the next successive general election. The supervisor
17 of elections shall promptly verify the signature on the
18 petition-revocation form and process such revocation upon
19 payment, in advance, of a fee of 10 cents or the actual cost
20 of verifying such signature, whichever is less. The supervisor
21 shall promptly record each valid and verified
22 petition-revocation form in the statewide voter registration
23 system in the manner prescribed by the Secretary of State.

24 (7)(6) The Department of State may adopt rules in
25 accordance with s. 120.54 to carry out the provisions of
26 subsections (1)-(6)(1)-(5).

27 Section 3. This act shall take effect August 1, 2007.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 900

This committee substitute differs from the underlying bill in that it:

- Names the bill as the "Beatrice T. Posey Truth in Petition Act"; and
- Retains only provisions creating a process for an elector to revoke an initiative petition.