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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/16/2008	.	
	.	
	.	

1 The Committee on Judiciary (Geller) recommended the following
2 **amendment:**

3
4 **Senate Amendment (with directory and title amendments)**

5 Between lines 289 and 290,
6 insert:

7 (7) PROCEDURES FOR REMOVAL.--

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

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

14 a. A statement of the basis for the registered voter's
15 potential ineligibility and a copy of any documentation upon
16 which the potential ineligibility is based.



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

21 c. A return form that requires the registered voter to
22 admit or deny the accuracy of the information underlying the
23 potential ineligibility for purposes of a final determination by
24 the supervisor.

25 d. A statement that, if the voter is denying the accuracy
26 of the information underlying the potential ineligibility, the
27 voter has a right to request a hearing for the purpose of
28 determining eligibility.

29 e. Instructions for the registered voter to contact the
30 supervisor of elections of the county in which the voter is
31 registered if assistance is needed in resolving the matter.

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

34 2. If the mailed notice is returned as undeliverable, the
35 supervisor shall publish notice once in a newspaper of general
36 circulation in the county in which the voter was last registered.
37 The notice shall contain the following:

38 a. The voter's name and address.

39 b. A statement that the voter is potentially ineligible to
40 be registered to vote.

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

45 d. An instruction for the voter to contact the supervisor
46 no later than 30 days after the date of the published notice to



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47 receive information regarding the basis for the potential
48 ineligibility and the procedure to resolve the matter.

49 e. An instruction to the voter that, if further assistance
50 is needed, the voter should contact the supervisor of elections
51 of the county in which the voter is registered.

52 3. If a registered voter fails to respond to a notice
53 pursuant to subparagraph 1. or subparagraph 2., the supervisor
54 shall make a final determination of the voter's eligibility. If
55 the supervisor determines that the voter is ineligible, the
56 supervisor shall remove the name of the registered voter from the
57 statewide voter registration system. The supervisor shall notify
58 the registered voter of the supervisor's determination and
59 action.

60 4. If a registered voter responds to the notice pursuant to
61 subparagraph 1. or subparagraph 2. and admits the accuracy of the
62 information underlying the potential ineligibility, the
63 supervisor shall make a final determination of ineligibility and
64 shall remove the voter's name from the statewide voter
65 registration system. The supervisor shall notify the registered
66 voter of the supervisor's determination and action.

67 5. If a registered voter responds to the notice issued
68 pursuant to subparagraph 1. or subparagraph 2. and denies the
69 accuracy of the information underlying the potential
70 ineligibility but does not request a hearing, the supervisor
71 shall review the evidence and make a final determination of
72 eligibility. If such registered voter requests a hearing, the
73 supervisor shall send notice to the registered voter to attend a
74 hearing at a time and place specified in the notice. Upon hearing
75 all evidence presented at the hearing, the supervisor shall make
76 a determination of eligibility. If the supervisor determines that



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77 | the registered voter is ineligible, the supervisor shall remove
78 | the voter's name from the statewide voter registration system and
79 | notify the registered voter of the supervisor's determination and
80 | action.

81 | ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

82 | And the directory clause is amended as follows:

83 | Delete lines 276-277

84 | and insert:

85 |

86 | Section 8. Effective July 1, 2008, subsection (3) and
87 | paragraph (a) of subsection (7) of section 98.075, Florida
88 | Statutes, are amended to read:

89 |

90 | ===== T I T L E A M E N D M E N T =====

91 | And the title is amended as follows:

92 | On line 20, after the semicolon,

93 | insert:

94 | providing procedures concerning such removal;