

1 A bill to be entitled
 2 An act relating to the registration of paid petition
 3 circulators; creating s. 100.372, F.S.; providing
 4 definitions; requiring paid petition circulators to
 5 register with the Department of State; prohibiting
 6 compensation to petition circulators not registered with
 7 the department as paid petition circulators; providing
 8 registration qualifications and criteria; requiring a paid
 9 petition circulator's registration number on petition
 10 forms; providing for invalidity of certain petition
 11 signatures; providing for validity of forms submitted
 12 before a certain date; authorizing the department to adopt
 13 rules; providing for severability; providing an effective
 14 date.

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

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 18 Section 1. Section 100.372, Florida Statutes, is created
 19 to read:

20 100.372 Registration of paid petition circulators.--

21 (1) For purposes of this code:

22 (a) "Petition circulator" means any person who, in the
 23 context of a direct face-to-face interaction, presents to
 24 another person for his or her possible signature a petition form
 25 or petition-revocation form regarding ballot placement for an
 26 initiative.

27 (b) "Paid petition circulator" means a petition circulator
 28 who receives any compensation as a direct or indirect

29 consequence of the activities described in paragraph (a), other
30 than for the reimbursement of legitimate out-of-pocket expenses
31 incurred by the petition circulator in the ordinary course of
32 these activities, as specified by department rule.

33 (c) "Registrant" means a person who is registered with the
34 department as a paid petition circulator.

35 (2) A person may not engage in any activities as a paid
36 petition circulator in this state without first registering with
37 the department. A person or entity may not provide compensation
38 as a direct or indirect consequence of the activities described
39 in paragraph (1)(a) to a petition circulator who is not
40 registered with the department as a paid petition circulator.

41 (3) A person may not be registered as a paid petition
42 circulator by the department unless the person is:

43 (a) A citizen of the United States for purposes of s.
44 97.041(1)(a)2.;

45 (b) A legal resident of this state for purposes of s.
46 97.041(1)(a)3.; and

47 (c) Not a convicted felon ineligible to register to vote
48 or vote pursuant to s. 97.041(2)(b).

49 (4) If, at any time, a registrant no longer satisfies one
50 or more of the requirements set forth in subsection (3), the
51 registrant's registration shall be immediately rendered invalid
52 by operation of law, the registrant shall immediately notify the
53 department, and the registrant shall immediately halt all
54 activities as a paid petition circulator.

55 (5) To register with the department as a paid petition
56 circulator, a person shall provide his or her full legal name;

57 the street address at which the person legally resides; the
58 person's telephone number; the person's date of birth; a copy of
59 a valid government-issued photo identification card; the name,
60 street address, and telephone number of the person or entity
61 from which the person will receive compensation as a direct or
62 indirect consequence of the activities described in paragraph
63 (1) (a); identification of the petition forms or petition-
64 revocation forms that the person will be circulating; and any
65 other information required by department rule. As a condition of
66 registration, the registrant shall notify the department of any
67 change in the information submitted pursuant to this subsection
68 within 1 business day after such change.

69 (6) A registrant shall not circulate any petition forms or
70 petition-revocation forms as a paid petition circulator until
71 the registrant has registered those forms with the department.

72 (7) Every petition form or petition-revocation form
73 presented by a paid petition circulator to a person for his or
74 her possible signature must contain that paid petition
75 circulator's registration number, as issued by the department.

76 (8) A signature on a petition form or petition-revocation
77 form regarding ballot placement for an initiative is invalid,
78 may not be verified by the supervisor of elections, and may not
79 be counted toward the number of valid signatures required for
80 ballot placement if such signature was not gathered in full
81 compliance with this section.

82 (9) Any signature gathered on a previously approved
83 initiative petition form or petition-revocation form that has
84 been submitted for verification before August 1, 2008, may be

HB 903

2008

85 verified and counted if otherwise valid. However, any initiative
86 petition form or petition-revocation form that is submitted for
87 verification on or after August 1, 2008, may be verified and
88 counted only if it complies with this section.

89 (10) The Department of State may adopt rules in accordance
90 with ss. 120.536(1) and 120.54 to carry out the provisions of
91 this section, including the adoption of a registration fee not
92 exceeding the amount necessary to cover the department's cost of
93 registration and regulation.

94 Section 2. If any provision of this act or its application
95 to any person or circumstance is held invalid, the invalidity
96 does not affect other provisions or applications of the act
97 which can be given effect without the invalid provision or
98 application, and to this end the provisions of this act are
99 severable.

100 Section 3. This act shall take effect August 1, 2008.