

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; authorizing adoption of a registration fee to be  
 14          deposited in the Grants and Donations Trust Fund;  
 15          providing for severability; providing an effective date.

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

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

21           100.372 Registration of paid petition circulators.--

22           (1) For purposes of this code:

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

28           (b) "Paid petition circulator" means a petition circulator

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

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

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

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

44 (a) A citizen of the United States for purposes of s.  
45 97.041(1)(a)2.;

46 (b) A legal resident of this state for purposes of s.  
47 97.041(1)(a)3.; and

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

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

56 (5) To register with the department as a paid petition

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

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

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

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

83 (9) Any signature gathered on a previously approved  
84 initiative petition form or petition-revocation form that has

CS/HB 903

2008

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

90 (10) The Department of State may adopt rules in accordance  
91 with ss. 120.536(1) and 120.54 to carry out the provisions of  
92 this section, including the adoption of a registration fee not  
93 exceeding the amount necessary to cover the department's cost of  
94 registration and regulation. Funds collected from registrants  
95 shall be deposited in the Grants and Donations Trust Fund of the  
96 Department of State.

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

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