

By Senator Justice

16-00176-09

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1 A bill to be entitled

2 An act relating to challenging a person desiring to
3 vote; amending s. 101.111, F.S.; prohibiting a voter
4 from being challenged on the basis of certain
5 documents; prohibiting certain persons from submitting
6 a formal challenge to an individual's eligibility to
7 register to vote or to vote in any election under
8 certain circumstances; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Present subsection (2) of section 101.111,
13 Florida Statutes, is renumbered as subsection (4), and new
14 subsections (2) and (3) are added to that section, to read:

15 101.111 Person desiring to vote may be challenged;
16 challenger to execute oath; oath of person challenged;
17 determination of challenge.—

18 (2) A voter may not be challenged on the basis of the
19 following documents:

20 (a) A "voter caging document," which is defined as a
21 nonforwardable document that is sent by a person other than a
22 state or local election official and that is returned to the
23 sender or a third party as undelivered or undeliverable despite
24 an attempt to deliver such document to the address of a
25 registered voter or an applicant for registration;

26 (b) A list of individuals compiled from voter caging
27 documents; or

28 (c) A list produced by matching the information of
29 registered voters or applicants for voter registration to a list

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30 of individuals who are ineligible to vote by virtue of death,
31 conviction, change of address, or otherwise, unless one of the
32 pieces of information matched includes a signature, photograph,
33 or unique identifying number ensuring that the information from
34 each source refers to the same individual.

35 (3) A person who is not a state or local election official
36 may not submit a formal challenge to an individual's eligibility
37 to register to vote or to vote in any election if the basis for
38 such challenge is evidence consisting of an error or omission on
39 any record or paper relating to any application, registration,
40 or other act requisite to voting, and if such error or omission
41 is not material to the individual's eligibility to vote as
42 provided by law.

43 Section 2. This act shall take effect July 1, 2009.