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1 A bill to be entitled
2 An act relating to elections; creating s. 97.0115, F.S.;
3 providing for the preemption of certain matters to the
4 state; providing exceptions; amending s. 97.012, F.S.;
5 expanding the list of responsibilities of the Secretary of
6 State when acting in his or her capacity as chief election
7 officer; amending s. 97.021, F.S.; defining the term
8 "registration agent"; revising the definition of the term
9 "third-party registration organization"; repealing s.
10 97.052(6), F.S., relating to the notification and
11 correction of omitted voter registration application
12 information; amending s. 97.053, F.S.; providing that
13 certain voter application information must be provided or
14 verified before election day; amending s. 97.0535, F.S.;
15 requiring that certain first-time voters provide
16 identification before election day; deleting certain types
17 of identification from the list of acceptable forms of
18 identification for certain first-time voters; amending s.
19 97.0575, F.S.; requiring that third-party voter
20 registration organizations register with the Division of
21 Elections and provide the division with certain
22 information; requiring that forms used by third-party
23 voter registration organizations contain certain
24 information; providing that a third-party voter
25 registration organization serves as a fiduciary to the
26 applicant; specifying duties of such an organization;
27 providing an affirmative defense to certain violations;
28 providing criminal penalties for violations; providing

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29 | circumstances under which a third-party voter registration
30 | organization is subject to specified civil penalties;
31 | providing for the referral of violations to the Attorney
32 | General or state attorney; authorizing the Attorney
33 | General or the state attorney to initiate a civil action
34 | for relief that may include a permanent or temporary
35 | injunction or other appropriate order; requiring the
36 | division to adopt rules; deleting certain requirements for
37 | third-party voter registration organizations; deleting
38 | certain fines; amending s. 97.073, F.S.; revising the
39 | supervisor's responsibilities for notifying applicants of
40 | the disposition of voter registration applications;
41 | amending s. 98.065, F.S.; revising the timeframe for a
42 | supervisor to complete list maintenance programs; amending
43 | s. 98.075, F.S.; providing methods for removing the names
44 | of deceased persons from the statewide voter registration
45 | system; amending s. 98.0981, F.S.; revising requirements
46 | for reporting election results at the precinct level;
47 | amending s. 99.012, F.S.; requiring any officer who
48 | qualifies for federal public office to resign from the
49 | office he or she presently holds if the terms of office
50 | run concurrently; providing that the resignation is
51 | irrevocable; requiring a written resignation that is
52 | effective by a time certain; providing that failure to
53 | meet the resignation requirements results in an automatic
54 | irrevocable resignation effective immediately; providing
55 | that a person who fails to meet certain requirements does
56 | not qualify as a candidate for election; requiring that

57 | such a person be removed from the ballot; amending s.
58 | 99.021, F.S.; revising a requirement that a qualifying
59 | officer furnish a printed copy of the candidate oath to
60 | candidates; revising oath requirements; amending s.
61 | 99.061, F.S.; requiring that constitutional office
62 | candidates file notarized financial disclosure statements;
63 | requiring that candidates file certain original
64 | documentation when qualifying for office; amending s.
65 | 99.063, F.S.; deleting a requirement that candidates for
66 | Governor and Lieutenant Governor sign and acknowledge a
67 | specified loyalty oath; amending s. 100.111, F.S.;
68 | providing that a candidate for a legislative or county
69 | office is deemed elected after winning an open primary;
70 | providing that a vacancy in nomination is not created if a
71 | nominee did not properly qualify or does not meet the
72 | necessary qualifications to hold the office sought;
73 | amending s. 100.371, F.S.; revising the number of years
74 | that an initiative petition is valid; requiring that a
75 | petition form be submitted within a specified period after
76 | the date on which the petition was signed in order to be
77 | valid; deleting a limitation on the period for revoking a
78 | signature on a petition form; creating s. 100.372, F.S.;
79 | providing definitions; requiring registration of paid
80 | petition circulators and prohibiting the payment of
81 | compensation to those not properly registered; providing
82 | requirements for eligibility to engage in activities as a
83 | paid petition circulator; authorizing application to the
84 | department for registration and requiring certain

85 information; requiring that the department register
86 eligible applicants within a specified period after its
87 receipt of the application; requiring that a registrant
88 notify the department in writing of any change in the
89 information submitted within a specified period after such
90 change; requiring that certain individuals who submit an
91 initiative petition form collected by a paid petition
92 circulator to a supervisor of elections for verification
93 simultaneously submit a signed written affirmation that
94 the initiative petition signatures on the form were
95 collected in compliance with certain requirements;
96 requiring that the department adopt a form for such
97 affirmation; requiring that such form identify potential
98 criminal and civil penalties for submitting a false
99 affirmation; requiring that the department issue evidence
100 of registration; requiring that every petition form
101 presented by a registrant to a person for his or her
102 possible signature contain certain information; providing
103 conditions under which a signature shall be deemed invalid
104 and ineligible to be verified or counted; requiring that
105 the supervisor of elections return, at the expense of the
106 political committee sponsoring the initiative petition,
107 the invalid initiative petition form within a specified
108 period after invalidation; requiring that such political
109 committee provide written notice to an elector whose
110 signature was invalidated within a specified period after
111 receipt of an invalid form from a supervisor; requiring
112 that the notice contain certain information and provide

113 the elector an opportunity to sign a replacement
114 initiative petition form; providing that certain electors
115 are exempt from certain provisions of state law for
116 specified purposes; providing for the applicability of
117 certain provisions of state law to initiative petition
118 forms; providing circumstances in which a registrant's
119 registration is rendered invalid; requiring notification
120 of such circumstances; requiring that the department
121 create a training program for applicants; providing
122 requirements for the program; authorizing the department
123 to conduct training through a secure website and to
124 contract with a third-party vendor for the administration
125 of the program; requiring that the department adopt rules;
126 requiring that the department establish a registration
127 fee; providing for the deposit of funds collected;
128 amending s. 101.043, F.S.; removing certain forms of
129 identification from the list of forms of identification
130 used to identify voters at a polling place; amending s.
131 101.045, F.S.; providing circumstances under which an
132 elector is eligible for a provisional ballot; amending s.
133 101.131, F.S.; providing procedures for the designation of
134 poll watchers; requiring that the division prescribe a
135 form for the designation of poll watchers; providing
136 conditions under which poll watchers are authorized to
137 enter polling areas and watch polls; requiring that a
138 supervisor of elections provide identification to poll
139 watchers a specified period before early voting begins;
140 requiring that poll watchers display such identification

141 at all times while in a polling place; amending s.
142 101.151, F.S.; requiring that marksense ballots be printed
143 by precinct; revising ballot layout specifications;
144 clarifying the order of candidate offices on a ballot;
145 amending s. 101.56075, F.S.; extending the deadline for
146 department compliance with the Help America Vote Act of
147 2002 and other specified provisions; amending s. 101.5612,
148 F.S.; requiring the use of certain ballots and technology
149 for preelection testing of tabulating equipment; amending
150 s. 101.591, F.S.; revising provisions relating to voting
151 system audits; requiring random postelection audits of
152 voting systems; providing audit procedures; requiring the
153 publication of an audit notice; prescribing requirements
154 for audit reports; providing procedures for requesting an
155 audit; requiring that the department adopt rules;
156 repealing s. 101.5911, F.S., relating to rulemaking
157 authority for voting system audit procedures; amending s.
158 101.62, F.S.; requiring that certain information regarding
159 absentee ballots be made available during a specified
160 period; requiring that a supervisor mail absentee ballots
161 during specified periods before primary and general
162 elections, or a specified period after receiving a request
163 for an absentee ballot under certain circumstances;
164 amending s. 101.64, F.S.; prohibiting a supervisor from
165 placing certain information on a mailing envelope
166 containing an absentee ballot; requiring that a supervisor
167 establish and maintain a prepaid account with the United
168 States Postal Service for specified purposes; amending s.

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169 101.657, F.S.; requiring that a supervisor designate each
170 early voting site no later than a specified number of days
171 before a primary election; requiring that early voting
172 sites for a general election be held at the same sites
173 designated for a primary election; authorizing the
174 extension of early voting hours and days under certain
175 circumstances; prohibiting the disclosure of early voting
176 results before a certain time and requiring reporting of
177 results by precinct; amending s. 101.6923, F.S.; revising
178 the form for absentee ballot instructions for certain
179 first-time voters; amending s. 101.6952, F.S.; revising
180 procedures for processing absentee ballot requests and
181 communicating by electronic mail with overseas voters;
182 amending s. 101.697, F.S.; requiring that the department
183 determine whether secure electronic means can be
184 established for requesting, sending, or receiving absentee
185 ballots and ballot materials to and from overseas voters;
186 requiring that the department adopt rules for specified
187 purposes if such security can be established; amending s.
188 102.031, F.S.; prohibiting certain persons and
189 organizations from soliciting a voter while the voter is
190 in line to vote at any polling place or early voting site;
191 expanding the definition of the terms "solicit" and
192 "solicitation"; amending s. 102.111, F.S.; clarifying that
193 the Governor and Cabinet members shall serve as ex officio
194 members of the Elections Canvassing Commission;
195 establishing meeting times for the commission; amending s.
196 102.112, F.S.; conforming a cross-reference; amending s.

197 | 102.141, F.S.; providing circumstances under which the
 198 | Secretary of State, county canvassing board, or local
 199 | board is responsible for ordering recounts in elections;
 200 | amending s. 102.166, F.S.; making editorial changes;
 201 | amending s. 102.168, F.S.; revising the time by which to
 202 | submit a complaint contesting an election; identifying
 203 | indispensable parties in actions to contest an election;
 204 | amending s. 103.091, F.S.; authorizing a political party
 205 | to adopt additional qualifying requirements for certain
 206 | offices; revising membership of a state executive
 207 | committee; authorizing certain members of a political
 208 | party to vote by proxy if proxy voting is permitted by
 209 | party rule; providing that an elected or appointed member
 210 | of the state executive committee shall be considered a
 211 | full member of the committee; amending s. 103.121, F.S.;
 212 | specifying a venue for any action involving the
 213 | constitution, rules, or bylaws of a political party;
 214 | amending s. 105.031, F.S.; revising a requirement that a
 215 | qualifying officer furnish a printed copy of the candidate
 216 | oath to candidates for certain nonpartisan offices;
 217 | revising oath requirements; amending s. 106.011, F.S.;
 218 | providing that certain expenditures are not contributions
 219 | or expenditures for certain purposes; amending s. 106.08,
 220 | F.S.; deleting provisions limiting the amount of
 221 | contributions certain candidates may accept during a
 222 | specified period preceding a general election; revising
 223 | the list of items that a political party may provide to
 224 | candidates; amending s. 106.141, F.S.; requiring that a

225 | qualifying officer notify a candidate of certain
 226 | requirements, fees, and obligations on surplus funds by a
 227 | specified period when the candidate becomes unopposed;
 228 | amending s. 106.143, F.S.; requiring that certain
 229 | political advertisements prominently state certain
 230 | information; authorizing certain political advertisements
 231 | to use names and abbreviations in the advertisement's
 232 | disclaimer; amending s. 106.17, F.S.; authorizing state
 233 | and county executive committees of a political party to
 234 | conduct political polls for specified purposes;
 235 | authorizing the sharing of the results of such polls under
 236 | certain conditions; providing that expenditures incurred
 237 | by state and county executive committees for such polls do
 238 | not constitute contributions to potential candidates;
 239 | amending s. 106.24, F.S.; specifying a term of appointment
 240 | for the executive director of the Florida Elections
 241 | Commission; requiring Senate confirmation of the
 242 | appointment; limiting the number of consecutive terms that
 243 | an executive director may serve; amending s. 106.29, F.S.;
 244 | authorizing the reporting of expenditures for salaries in
 245 | the aggregate in certain executive committee reports;
 246 | amending s. 106.295, F.S.; eliminating a prohibition on
 247 | leadership funds; amending ss. 121.121 and 379.352, F.S.;
 248 | conforming cross-references; amending s. 876.05, F.S.;
 249 | deleting a requirement that candidates for public office
 250 | take the public employee oath; repealing s. 876.07, F.S.,
 251 | relating to a requirement that a candidate file the public
 252 | employee oath as a prerequisite to qualifying for public

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253 office; providing that certain signatures gathered before
 254 a specified date may be verified and counted if otherwise
 255 valid; providing that signatures gathered on or after such
 256 date may be verified and counted only if gathered in
 257 compliance with the act; providing for severability;
 258 providing an effective date.

259
 260 Be It Enacted by the Legislature of the State of Florida:

261
 262 Section 1. Section 97.0115, Florida Statutes, is created
 263 to read:

264 97.0115 Preemption.--All matters set forth in chapters 97-
 265 105 are preempted to the state, except as otherwise specifically
 266 provided by law.

267 Section 2. Subsection (16) is added to section 97.012,
 268 Florida Statutes, to read:

269 97.012 Secretary of State as chief election officer.--The
 270 Secretary of State is the chief election officer of the state,
 271 and it is his or her responsibility to:

272 (16) Provide direction and opinions to the supervisors of
 273 elections on the performance of their official duties with
 274 respect to chapters 97-102 and chapter 105 or rules adopted by
 275 the Department of State.

276 Section 3. Present subsection (36) of section 97.021,
 277 Florida Statutes, is amended, subsections (32) through (43) are
 278 renumbered as subsections (33) through (44), respectively, and a
 279 new subsection (32) is added to that section, to read:

280 97.021 Definitions.--For the purposes of this code, except

281 where the context clearly indicates otherwise, the term:

282 (32) "Registration agent" means an individual who solicits
 283 or collects voter registration applications on behalf of a
 284 third-party voter registration organization.

285 ~~(37)-(36)~~ "Third-party voter registration organization"
 286 means any ~~person~~, entity, or organization soliciting or
 287 collecting voter registration applications. A third-party voter
 288 registration organization does not include:

289 ~~(a) A person who seeks only to register to vote or collect~~
 290 ~~voter registration applications from that person's spouse,~~
 291 ~~child, or parent; or~~

292 ~~(b) A person engaged in registering to vote or collecting~~
 293 ~~voter registration applications as an employee or agent of the~~
 294 ~~division, the supervisor of elections, the Department of Highway~~
 295 ~~Safety and Motor Vehicles, or a voter registration agency.~~

296 Section 4. Subsection (6) of section 97.052, Florida
 297 Statutes, is repealed.

298 Section 5. Subsection (6) of section 97.053, Florida
 299 Statutes, is amended to read:

300 97.053 Acceptance of voter registration applications.--

301 (6) A voter registration application may be accepted as
 302 valid only after the department has verified the authenticity or
 303 nonexistence of the driver's license number, the Florida
 304 identification card number, or the last four digits of the
 305 social security number provided by the applicant. If a completed
 306 voter registration application has been received by the book-
 307 closing deadline but the driver's license number, the Florida
 308 identification card number, or the last four digits of the

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309 social security number provided by the applicant cannot be
310 verified, the applicant shall be notified that the number cannot
311 be verified and that the applicant must provide evidence to the
312 supervisor sufficient to verify the authenticity of the
313 applicant's driver's license number, Florida identification card
314 number, or last four digits of the social security number. If
315 the applicant provides the necessary evidence, the supervisor
316 shall place the applicant's name on the registration rolls as an
317 active voter. If the applicant has not provided the necessary
318 evidence or the number has not otherwise been verified before
319 election day ~~prior to the applicant presenting himself or~~
320 ~~herself to vote~~, the applicant shall be provided a provisional
321 ballot. The provisional ballot shall be counted only if the
322 number is verified by the end of the canvassing period or if the
323 applicant presents evidence to the supervisor of elections
324 sufficient to verify the authenticity of the applicant's
325 driver's license number, Florida identification card number, or
326 last four digits of the social security number no later than 5
327 p.m. of the second day following the election.

328 Section 6. Subsections (1) and (2) and paragraph (a) of
329 subsection (3) of section 97.0535, Florida Statutes, are amended
330 to read:

331 97.0535 Special requirements for certain applicants.--

332 (1) Each applicant who registers by mail and who has never
333 previously voted in the state and who the department has
334 verified has not been issued a current and valid Florida
335 driver's license, Florida identification card, or social
336 security number shall be required to provide a copy of a current

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337 and valid identification, as provided in subsection (3), or
338 indicate that he or she is exempt from the requirements ~~prior to~~
339 ~~voting~~. Such identification or indication may be provided at the
340 time of registering, or at any time before election day ~~prior to~~
341 ~~voting for the first time in the state~~. If the voter
342 registration application clearly provides information from which
343 a voter registration official can determine that the applicant
344 meets at least one of the exemptions in subsection (4), the
345 voter registration official shall make the notation on the
346 registration records of the statewide voter registration system
347 and the applicant shall not be required to provide the
348 identification required by this section.

349 (2) The voter registration official shall, upon accepting
350 the voter registration application submitted pursuant to
351 subsection (1), determine if the applicant provided the required
352 identification at the time of registering. If the required
353 identification was not provided, the supervisor shall notify the
354 applicant that he or she must provide the identification before
355 election day ~~prior to voting the first time in the state~~.

356 (3)(a) The following forms of identification shall be
357 considered current and valid if they contain the name and
358 photograph of the applicant and have not expired:

- 359 1. United States passport.
- 360 2. Debit or credit card.
- 361 3. Military identification.
- 362 4. Student identification.
- 363 5. ~~Retirement center identification.~~
- 364 6. ~~Neighborhood association identification.~~

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365 ~~5.7.~~ Public assistance identification.

366 Section 7. Section 97.0575, Florida Statutes, is amended
367 to read:

368 97.0575 Third-party voter registrations.--

369 (1) A third-party voter registration organization shall
370 register and provide to the division the following information:

371 (a) The names of the officers of the organization and the
372 name and permanent address of the organization.

373 (b) The names, permanent addresses, temporary addresses,
374 if any, and dates of birth of each registration agent soliciting
375 or collecting voter registration applications in this state on
376 behalf of the organization.

377 (c) A sworn statement from each registration agent
378 employed by or volunteering for the organization stating that
379 the registration agent will obey all state laws and rules
380 regarding the registration of voters. Such statement must be on
381 a form containing notice of criminal penalties applicable to
382 voter registration as provided in subsection (4) and ss. 104.011
383 and 104.012 and notice of criminal investigation of fraudulent
384 registrations as provided in s. 104.42.

385 (2) All voter registration applications used by third-
386 party voter registration organizations shall contain information
387 identifying the third-party voter registration organization as
388 specified by rule of the division.

389 (3) (a) A third-party voter registration organization and
390 any registration agent that collects voter registration
391 applications serve as a fiduciary to the applicant, ensuring
392 that any voter registration application entrusted to the

393 organization or the agent, irrespective of party affiliation,
 394 race, ethnicity, or gender, shall be received by the division or
 395 the supervisor of elections within 5 days after the organization
 396 or agent collects it or the next business day if the office of
 397 the appropriate supervisor of elections is closed on the fifth
 398 day. For purposes of this subsection, the date on which an
 399 applicant signs a voter registration application is presumed to
 400 be the date on which the organization or agent collected the
 401 voter registration application.

402 (b) A showing by the organization that the failure to
 403 deliver the voter registration application within the required
 404 timeframe is based upon force majeure or impossibility of
 405 performance shall be an affirmative defense to a violation of
 406 this subsection.

407 (4) (a) A person who willfully violates this section
 408 commits a misdemeanor of the first degree, punishable as
 409 provided in s. 775.082 or s. 775.083, and such person's status
 410 as a registration agent shall be revoked.

411 (b) If an officer of a third-party voter registration
 412 organization or any person who has decisionmaking authority
 413 involving a third-party voter registration organization's voter
 414 registration activities violates a provision of this section,
 415 such third-party voter registration organization is subject to a
 416 civil fine of \$250 for each violation, not to exceed in the
 417 aggregate \$10,000 for each calendar year.

418 (5) The secretary shall refer any complaint and may refer
 419 any other information relating to a potential violation of any
 420 provision of this section to the Attorney General or the state

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421 attorney for enforcement. The Attorney General or the state
422 attorney may institute a civil action for a violation of the
423 provisions of this section or to prevent a violation of the
424 provisions of this section. An action for relief may include a
425 permanent or temporary injunction or any other appropriate
426 order.

427 ~~(1) Prior to engaging in any voter registration~~
428 ~~activities, a third-party voter registration organization shall~~
429 ~~name a registered agent in the state and submit to the division,~~
430 ~~in a form adopted by the division, the name of the registered~~
431 ~~agent and the name of those individuals responsible for the day-~~
432 ~~to-day operation of the third-party voter registration~~
433 ~~organization, including, if applicable, the names of the~~
434 ~~entity's board of directors, president, vice president, managing~~
435 ~~partner, or such other individuals engaged in similar duties or~~
436 ~~functions. On or before the 15th day after the end of each~~
437 ~~calendar quarter, each third-party voter registration~~
438 ~~organization shall submit to the division a report providing the~~
439 ~~date and location of any organized voter registration drives~~
440 ~~conducted by the organization in the prior calendar quarter.~~

441 ~~(2) The failure to submit the information required by~~
442 ~~subsection (1) does not subject the third-party voter~~
443 ~~registration organization to any civil or criminal penalties for~~
444 ~~such failure, and the failure to submit such information is not~~
445 ~~a basis for denying such third-party voter registration~~
446 ~~organization with copies of voter registration application~~
447 ~~forms.~~

448 ~~(3) A third-party voter registration organization that~~

449 ~~collects voter registration applications serves as a fiduciary~~
 450 ~~to the applicant, ensuring that any voter registration~~
 451 ~~application entrusted to the third-party voter registration~~
 452 ~~organization, irrespective of party affiliation, race,~~
 453 ~~ethnicity, or gender shall be promptly delivered to the division~~
 454 ~~or the supervisor of elections. If a voter registration~~
 455 ~~application collected by any third-party voter registration~~
 456 ~~organization is not promptly delivered to the division or~~
 457 ~~supervisor of elections, the third-party voter registration~~
 458 ~~organization shall be liable for the following fines:~~

459 ~~(a) A fine in the amount of \$50 for each application~~
 460 ~~received by the division or the supervisor of elections more~~
 461 ~~than 10 days after the applicant delivered the completed voter~~
 462 ~~registration application to the third-party voter registration~~
 463 ~~organization or any person, entity, or agent acting on its~~
 464 ~~behalf. A fine in the amount of \$250 for each application~~
 465 ~~received if the third-party registration organization or person,~~
 466 ~~entity, or agency acting on its behalf acted willfully.~~

467 ~~(b) A fine in the amount of \$100 for each application~~
 468 ~~collected by a third-party voter registration organization or~~
 469 ~~any person, entity, or agent acting on its behalf, prior to book~~
 470 ~~closing for any given election for federal or state office and~~
 471 ~~received by the division or the supervisor of elections after~~
 472 ~~the book closing deadline for such election. A fine in the~~
 473 ~~amount of \$500 for each application received if the third-party~~
 474 ~~registration organization or person, entity, or agency acting on~~
 475 ~~its behalf acted willfully.~~

476 ~~(c) A fine in the amount of \$500 for each application~~

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477 ~~collected by a third party voter registration organization or~~
478 ~~any person, entity, or agent acting on its behalf, which is not~~
479 ~~submitted to the division or supervisor of elections. A fine in~~
480 ~~the amount of \$1,000 for any application not submitted if the~~
481 ~~third party registration organization or person, entity, or~~
482 ~~agency acting on its behalf acted willfully.~~

483
484 ~~The aggregate fine pursuant to this subsection which may be~~
485 ~~assessed against a third party voter registration organization,~~
486 ~~including affiliate organizations, for violations committed in a~~
487 ~~calendar year shall be \$1,000. The fines provided in this~~
488 ~~subsection shall be reduced by three fourths in cases in which~~
489 ~~the third party voter registration organization has complied~~
490 ~~with subsection (1). The secretary shall waive the fines~~
491 ~~described in this subsection upon a showing that the failure to~~
492 ~~deliver the voter registration application promptly is based~~
493 ~~upon force majeure or impossibility of performance.~~

494 (6)-(4)(a) The division shall adopt rules to administer
495 this section. The division shall adopt by rule a form to elicit
496 specific information concerning the facts and circumstances from
497 a person who claims to have been registered to vote by a third-
498 party voter registration organization but who does not appear as
499 an active voter on the voter registration rolls.

500 (b) The division may investigate any violation of this
501 section. Civil fines shall be assessed by the division and
502 enforced through any appropriate legal proceedings.

503 ~~(5) The date on which an applicant signs a voter~~
504 ~~registration application is presumed to be the date on which the~~

505 ~~third party voter registration organization received or~~
 506 ~~collected the voter registration application.~~

507 ~~(7)(6)~~ The civil fines provided in this section are in
 508 addition to any applicable criminal penalties.

509 ~~(7) Fines collected pursuant to this section shall be~~
 510 ~~annually appropriated by the Legislature to the department for~~
 511 ~~enforcement of this section and for voter education.~~

512 ~~(8) The division may adopt rules to administer this~~
 513 ~~section.~~

514 Section 8. Subsection (1) of section 97.073, Florida
 515 Statutes, is amended to read:

516 97.073 Disposition of voter registration applications;
 517 cancellation notice.--

518 (1) The supervisor must notify each applicant whether ~~of~~
 519 ~~the disposition of~~ the applicant's voter registration
 520 application. ~~The notice must inform the applicant that the~~
 521 ~~application~~ has been approved, is incomplete, has been denied,
 522 or is a duplicate of a current registration.

523 (a) If the application is approved, the supervisor shall
 524 send the voter information card to the applicant no later than 2
 525 weeks after approval. A voter information card sent to an
 526 applicant constitutes notice of approval of registration.

527 (b) If the application is incomplete because it fails to
 528 provide any of the information required by s. 97.053(5), the
 529 supervisor must request that the applicant supply the missing
 530 information using a voter registration application signed by the
 531 applicant. The notice must be sent by mail within 5 business
 532 days after the supervisor has the information available in the

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533 voter registration system. If the applicant does not respond
534 within 1 year after the date notice is sent, the application
535 record will be closed and the applicant shall be required to
536 submit another application.

537 (c) If the application is denied, the supervisor shall
538 include in the A notice of denial ~~must inform the applicant of~~
539 the reason the application was denied. The notice must be sent
540 by mail within 5 business days after the supervisor has the
541 information available in the voter registration system.

542 (d) If the application is a duplicate of a current
543 registration, the supervisor shall process the application as an
544 update and enter updated information, including the signature,
545 into the current registration record. The voter shall be
546 notified that his or her voter registration record has been
547 updated and shall be issued a new voter information card.

548 Section 9. Subsections (2) and (3) of section 98.065,
549 Florida Statutes, are amended to read:

550 98.065 Registration list maintenance programs.--

551 (2) A supervisor must incorporate one or more of the
552 following procedures in the supervisor's ~~biennial~~ registration
553 list maintenance program under which:

554 (a) Change-of-address information supplied by the United
555 States Postal Service through its licensees is used to identify
556 registered voters whose addresses might have changed;

557 (b) Change-of-address information is identified from
558 returned nonforwardable return-if-undeliverable mail sent to all
559 registered voters in the county; or

560 (c) Change-of-address information is identified from

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561 returned nonforwardable return-if-undeliverable address
 562 confirmation requests mailed to all registered voters who have
 563 not voted in the last 2 years and who did not make a written
 564 request that their registration records be updated during that
 565 time.

566 (3) A registration list maintenance program must be
 567 conducted by each supervisor, at a minimum, quarterly in each
 568 odd-numbered year and monthly in each even-numbered year, except
 569 that the program must be completed no ~~not~~ later than 90 days
 570 before ~~prior to~~ the date of any federal election. All list
 571 maintenance actions associated with each voter must be entered,
 572 tracked, and maintained in the statewide voter registration
 573 system.

574 Section 10. Subsection (3) of section 98.075, Florida
 575 Statutes, is amended to read:

576 98.075 Registration records maintenance activities;
 577 ineligibility determinations.--

578 (3) DECEASED PERSONS.--

579 (a)1. The department shall identify those registered
 580 voters who are deceased by comparing information on the lists of
 581 deceased persons received or obtained from:

582 a. The Department of Health as provided in s. 98.093.

583 b. The United States Social Security Administration,
 584 including, but not limited to, any master death file or index
 585 compiled by the administration.

586 2. Within 7 days after ~~Upon~~ receipt of such information
 587 through the statewide voter registration system, the supervisor
 588 shall remove the name of the registered voter.

589 (b) The supervisor shall remove the name of a deceased
 590 registered voter from the statewide voter registration system
 591 upon receipt of a copy of a death certificate issued by a
 592 governmental agency authorized to issue death certificates.

593 Section 11. Subsection (2) of section 98.0981, Florida
 594 Statutes, is amended to read:

595 98.0981 Reports; voting history; statewide voter
 596 registration system information; precinct-level election
 597 results; book closing statistics.--

598 (2) PRECINCT-LEVEL ELECTION RESULTS.--

599 (a) Within 45 days after the date of a presidential
 600 preference primary election, a special election, or a general
 601 election, the supervisors of elections shall collect and submit
 602 to the department precinct-level election results for the
 603 election in a uniform electronic format specified by the
 604 department. The precinct-level election results shall be
 605 compiled separately for the primary or special primary election
 606 that preceded the general or special general election,
 607 respectively. The results shall specifically include for each
 608 precinct the ~~aggregate~~ total of all ballots cast subtotaled by
 609 ballot type for each candidate or nominee to fill a national,
 610 state, county, or district office or proposed constitutional
 611 amendment.

612 (b) In precincts where three or fewer total ballots were
 613 cast, the supervisors of elections shall report only the
 614 aggregate total of all ballots cast.

615 (c) As used in this subsection, "all ballots cast" means
 616 ballots cast by voters who cast a ballot whether at a precinct

617 location, by absentee ballot including overseas absentee
 618 ballots, during the early voting period, or by provisional
 619 ballot.

620 Section 12. Section 99.012, Florida Statutes, is amended
 621 to read:

622 99.012 Restrictions on individuals qualifying for public
 623 office.--

624 (1) As used in this section:

625 (a) "Officer" means a person, whether elected or
 626 appointed, who has the authority to exercise the sovereign power
 627 of the state pertaining to an office recognized under the State
 628 Constitution or laws of the state. With respect to a
 629 municipality, the term "officer" means a person, whether elected
 630 or appointed, who has the authority to exercise municipal power
 631 as provided by the State Constitution, state laws, or municipal
 632 charter.

633 (b) "Subordinate officer" means a person who has been
 634 delegated the authority to exercise the sovereign power of the
 635 state by an officer. With respect to a municipality, subordinate
 636 officer means a person who has been delegated the authority to
 637 exercise municipal power by an officer.

638 (2) No person may qualify as a candidate for more than one
 639 public office, whether federal, state, district, county, or
 640 municipal, if the terms or any part thereof run concurrently
 641 with each other.

642 (3) (a) No officer may qualify as a candidate for another
 643 state, district, county, or municipal public office if the terms

644 or any part thereof run concurrently with each other without
 645 resigning from the office he or she presently holds.

646 (b) The resignation is irrevocable.

647 (c) The written resignation must be submitted at least 10
 648 days prior to the first day of qualifying for the office he or
 649 she intends to seek.

650 (d) The resignation must be effective no later than the
 651 earlier of the following dates:

- 652 1. The date the officer would take office, if elected; or
- 653 2. The date the officer's successor is required to take
 654 office.

655 (e)1. An elected district, county, or municipal officer
 656 must submit his or her resignation to the officer before whom he
 657 or she qualified for the office he or she holds, with a copy to
 658 the Governor and the Department of State.

659 2. An appointed district, county, or municipal officer
 660 must submit his or her resignation to the officer or authority
 661 which appointed him or her to the office he or she holds, with a
 662 copy to the Governor and the Department of State.

663 3. All other officers must submit their resignations to
 664 the Governor with a copy to the Department of State.

665 (f)1. With regard to an elective office, the resignation
 666 creates a vacancy in office to be filled by election. Persons
 667 may qualify as candidates for nomination and election as if the
 668 public officer's term were otherwise scheduled to expire.

669 2. With regard to an elective charter county office or
 670 elective municipal office, the vacancy created by the officer's
 671 resignation may be filled for that portion of the officer's

672 unexpired term in a manner provided by the respective charter.
 673 The office is deemed vacant upon the effective date of the
 674 resignation submitted by the official in his or her letter of
 675 resignation.

676 (g) Any officer who submits his or her resignation,
 677 effective immediately or effective on a date prior to the date
 678 of his or her qualifying for office, may then qualify for office
 679 as a nonofficeholder, and the provisions of this subsection do
 680 not apply.

681 (4) (a) Any officer who qualifies for federal public office
 682 must resign from the office he or she presently holds if the
 683 terms or any part thereof run concurrently with each other.

684 (b) The resignation is irrevocable.

685 (c) The resignation must be submitted no later than the
 686 date upon which the officer qualifies for office.

687 (d) The written resignation must be effective no later
 688 than the earlier of the following dates:

- 689 1. The date the officer would take office, if elected; or
- 690 2. The date the officer's successor is required to take
 691 office.

692 (e)1. An elected district, county, or municipal officer
 693 must submit his or her resignation to the officer before whom he
 694 or she qualified for the office he or she holds, with a copy to
 695 the Governor and the Department of State.

696 2. An appointed district, county, or municipal officer
 697 must submit his or her resignation to the officer or authority
 698 which appointed him or her to the office he or she holds, with a
 699 copy to the Governor and the Department of State.

700 3. All other officers must submit their resignations to
 701 the Governor with a copy to the Department of State.

702 (f)1. The failure of an officer who qualifies for federal
 703 public office to submit a resignation pursuant to this
 704 subsection constitutes an automatic irrevocable resignation,
 705 effective immediately, from the office he or she presently
 706 holds.

707 2. The Department of State shall send a notice of the
 708 automatic resignation to the Governor, and in the case of a
 709 district, county, or municipal officer, a copy to:

710 a. The officer before whom he or she qualified if the
 711 officer held an elective office; or

712 b. The person or authority who appointed the officer if
 713 the officer held an appointive office.

714 (g) The provisions of any special act to the contrary
 715 notwithstanding, with regard to an elective office, the
 716 resignation creates a vacancy in office to be filled by
 717 election, thereby permitting persons to qualify as candidates
 718 for nomination and election as if the officer's term were
 719 otherwise scheduled to expire. With regard to an elective
 720 charter county office or elective municipal office, the vacancy
 721 created by the officer's resignation may be filled for that
 722 portion of the officer's unexpired term in a manner provided by
 723 the respective charter. The office is deemed vacant upon the
 724 effective date of the resignation submitted by the official in
 725 his or her letter of resignation.

726 (5) ~~(4)~~ A person who is a subordinate officer, deputy
 727 sheriff, or police officer must resign effective upon qualifying

728 | pursuant to this chapter if the person is seeking to qualify for
 729 | a public office that is currently held by an officer who has
 730 | authority to appoint, employ, promote, or otherwise supervise
 731 | that person and who has qualified as a candidate for reelection
 732 | to that office.

733 | ~~(6)-(5)~~ The name of any person who does not comply with
 734 | this section may be removed from every ballot on which it
 735 | appears when ordered by a circuit court upon the petition of an
 736 | elector or the Department of State.

737 | ~~(7)-(6)~~ This section does not apply to:

738 | (a) Political party offices.

739 | (b) Persons serving without salary as members of an
 740 | appointive board or authority.

741 | ~~(8)-(7)~~ Nothing contained in subsections ~~subsection~~ (3) and
 742 | (4) relate ~~relates~~ to persons holding any federal office.

743 | (9) Any person who does not comply with this section shall
 744 | not be qualified as a candidate for election and shall be
 745 | removed from the ballot by the qualifying officer.

746 | Section 13. Paragraph (a) of subsection (1) of section
 747 | 99.021, Florida Statutes, is amended to read:

748 | 99.021 Form of candidate oath.--

749 | (1)(a)1. Each candidate, whether a party candidate, a
 750 | candidate with no party affiliation, or a write-in candidate, in
 751 | order to qualify for nomination or election to any office other
 752 | than a judicial office as defined in chapter 105 or a federal
 753 | office, shall take and subscribe to an oath or affirmation in
 754 | writing. A ~~printed~~ copy of the oath or affirmation shall be made
 755 | available ~~furnished~~ to the candidate by the officer before whom

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756 such candidate seeks to qualify and shall be substantially in
 757 the following form:

758
 759 State of Florida
 760 County of....

761 Before me, an officer authorized to administer oaths,
 762 personally appeared ...(please print name as you wish it to
 763 appear on the ballot)..., to me well known, who, being sworn,
 764 says that he or she is a candidate for the office of; that
 765 he or she is a qualified elector of County, Florida; that
 766 he or she is qualified under the Constitution and the laws of
 767 Florida to hold the office to which he or she desires to be
 768 nominated or elected; ~~that he or she has taken the oath required~~
 769 ~~by ss. 876.05-876.10, Florida Statutes;~~ that he or she has
 770 qualified for no other public office in the state, the term of
 771 which office or any part thereof runs concurrent with that of
 772 the office he or she seeks; ~~and~~ that he or she has resigned from
 773 any office from which he or she is required to resign pursuant
 774 to s. 99.012, Florida Statutes; and that he or she will support
 775 the Constitution of the United States and the Constitution of
 776 the State of Florida.

777 ... (Signature of candidate) ...
 778 ... (Address) ...

779
 780 Sworn to and subscribed before me this day of,
 781 ... (year), ... at County, Florida.

782 ... (Signature and title of officer administering oath) ...

783 2. Each candidate for federal office, whether a party

CODING: Words **stricken** are deletions; words **underlined** are additions.

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784 candidate, a candidate with no party affiliation, or a write-in
 785 candidate, in order to qualify for nomination or election to
 786 office, shall take and subscribe to an oath or affirmation in
 787 writing. A ~~printed~~ copy of the oath or affirmation shall be made
 788 available ~~furnished~~ to the candidate by the officer before whom
 789 such candidate seeks to qualify and shall be substantially in
 790 the following form:

791
 792 State of Florida
 793 County of

794 Before me, an officer authorized to administer oaths,
 795 personally appeared ... (please print name as you wish it to
 796 appear on the ballot) ..., to me well known, who, being sworn,
 797 says that he or she is a candidate for the office of; that
 798 he or she is qualified under the Constitution and laws of the
 799 United States to hold the office to which he or she desires to
 800 be nominated or elected; ~~and~~ that he or she has qualified for no
 801 other public office in the state the term of which office or any
 802 part thereof runs concurrent with that of the office he or she
 803 seeks; that he or she has resigned from any office from which he
 804 or she is required to resign pursuant to s. 99.012, Florida
 805 Statutes; and that he or she will support the Constitution of
 806 the United States.

807 ... (Signature of candidate) ...
 808 ... (Address) ...

809
 810 Sworn to and subscribed before me this day of,
 811 ... (year), ... at County, Florida.

812 ...(Signature and title of officer administering oath)...

813 Section 14. Subsections (5) and (7) of section 99.061,
814 Florida Statutes, are amended to read:

815 99.061 Method of qualifying for nomination or election to
816 federal, state, county, or district office.--

817 (5) At the time of qualifying for office, each candidate
818 for a constitutional office shall file a full and public
819 disclosure of financial interests pursuant to s. 8, Art. II of
820 the State Constitution, duly notarized pursuant to s. 117.05,
821 and a candidate for any other office, including local elective
822 office, shall file a statement of financial interests pursuant
823 to s. 112.3145.

824 (7) (a) In order for a candidate to be qualified, the
825 original of the following items must be received by the filing
826 officer by the end of the qualifying period:

827 1. A properly executed check drawn upon the candidate's
828 campaign account payable to the person or entity as prescribed
829 by the filing officer in an amount not less than the fee
830 required by s. 99.092, unless the candidate obtained the
831 required number of signatures on petitions ~~or, in lieu thereof,~~
832 ~~as applicable, the copy of the notice of obtaining ballot~~
833 ~~position~~ pursuant to s. 99.095. The filing fee for a special
834 district candidate is not required to be drawn upon the
835 candidate's campaign account. If a candidate's check is returned
836 by the bank for any reason, the filing officer shall immediately
837 notify the candidate and the candidate shall, the end of
838 qualifying notwithstanding, have 48 hours from the time such
839 notification is received, excluding Saturdays, Sundays, and

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840 legal holidays, to pay the fee with a cashier's check purchased
841 from funds of the campaign account. Failure to pay the fee as
842 provided in this subparagraph shall disqualify the candidate.

843 2. The candidate's oath required by s. 99.021, which must
844 contain the name of the candidate as it is to appear on the
845 ballot; the office sought, including the district or group
846 number if applicable; and the signature of the candidate, duly
847 notarized pursuant to s. 117.05 ~~acknowledged~~.

848 ~~3. The loyalty oath required by s. 876.05, signed by the~~
849 ~~candidate and duly acknowledged.~~

850 ~~3.4.~~ If the office sought is partisan, the written
851 statement of political party affiliation required by s.
852 99.021(1)(b).

853 ~~4.5.~~ The ~~completed form for the~~ appointment of campaign
854 treasurer and designation of campaign depository, as required by
855 s. 106.021, to include the name, address, and telephone number
856 of the candidate; the office sought, with district, circuit, or
857 group designation, as applicable; the party affiliation, as
858 applicable; the name, address, and telephone number of the
859 campaign treasurer; the name and address of the primary campaign
860 depository; the dated signatures of the candidate and the
861 campaign treasurer; and the acceptance of the appointment by the
862 campaign treasurer.

863 ~~5.6.~~ The full and public disclosure or statement of
864 financial interests required by subsection (5). A public officer
865 who has filed the full and public disclosure or statement of
866 financial interests with the Commission on Ethics or the
867 supervisor of elections prior to qualifying for office may file

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868 a copy of that disclosure at the time of qualifying.

869 (b) If the filing officer receives qualifying papers
 870 during the qualifying period prescribed in this section that do
 871 not include all items ~~as~~ required by paragraph (a) prior to the
 872 last day of qualifying, the filing officer shall make a
 873 reasonable effort to notify the candidate of the missing or
 874 incomplete items and shall inform the candidate that all
 875 required items must be received by the close of qualifying. A
 876 candidate's name as it is to appear on the ballot may not be
 877 changed after the end of qualifying.

878 Section 15. Subsection (2) of section 99.063, Florida
 879 Statutes, is amended to read:

880 99.063 Candidates for Governor and Lieutenant Governor.--

881 (2) No later than 5 p.m. of the 9th day following the
 882 primary election, each designated candidate for Lieutenant
 883 Governor shall file with the Department of State:

884 (a) The candidate's oath required by s. 99.021, which must
 885 contain the name of the candidate as it is to appear on the
 886 ballot; the office sought; and the signature of the candidate,
 887 duly acknowledged.

888 ~~(b) The loyalty oath required by s. 876.05, signed by the~~
 889 ~~candidate and duly acknowledged.~~

890 (b)-(e) If the office sought is partisan, the written
 891 statement of political party affiliation required by s.
 892 99.021(1)(b).

893 (c)-(d) The full and public disclosure of financial
 894 interests pursuant to s. 8, Art. II of the State Constitution. A
 895 public officer who has filed the full and public disclosure with

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896 the Commission on Ethics prior to qualifying for office may file
897 a copy of that disclosure at the time of qualifying.

898 Section 16. Paragraph (d) is added to subsection (4) of
899 section 100.111, Florida Statutes, subsection (5) of that
900 section is renumbered as subsection (6), and a new subsection
901 (5) is added to that section, to read:

902 100.111 Filling vacancy.--

903 (4)

904 (d) A candidate for any state legislative or county office
905 who wins an open primary shall be deemed elected at that time.

906 (5) A vacancy in nomination is not created if it is
907 determined that a nominee did not properly qualify or does not
908 meet the necessary qualifications to hold the office for which
909 he or she sought to qualify.

910 Section 17. Subsection (3) and paragraph (a) of subsection
911 (6) of section 100.371, Florida Statutes, are amended to read:

912 100.371 Initiatives; procedure for placement on ballot.--

913 (3) An initiative petition form circulated for signature
914 may not be bundled with or attached to any other petition. Each
915 signature shall be dated when made and shall be valid for a
916 period of 2 4 years following such date, provided all other
917 requirements of law are met. The sponsor shall submit signed and
918 dated forms to the appropriate supervisor of elections for
919 verification as to the number of registered electors whose valid
920 signatures appear thereon. Petition forms must be submitted to
921 the supervisor of elections within 45 days after the date on
922 which the petition was signed in order to be valid. The
923 supervisor shall promptly verify the signatures within 30 days

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924 after ~~of~~ receipt of the petition forms and payment of the fee
 925 required by s. 99.097. The supervisor shall promptly record, in
 926 the manner prescribed by the Secretary of State, the date each
 927 form is received by the supervisor, and the date the signature
 928 on the form is verified as valid. The supervisor may verify that
 929 the signature on a form is valid only if:

930 (a) The form contains the original signature of the
 931 purported elector.

932 (b) The purported elector has accurately recorded on the
 933 form the date on which he or she signed the form.

934 (c) The form accurately sets forth the purported elector's
 935 name, street address, county, and voter registration number or
 936 date of birth.

937 (d) The purported elector is, at the time he or she signs
 938 the form, a duly qualified and registered elector authorized to
 939 vote in the county in which his or her signature is submitted.

940
 941 The supervisor shall retain the signature forms for at least 1
 942 year following the election in which the issue appeared on the
 943 ballot or until the Division of Elections notifies the
 944 supervisors of elections that the committee which circulated the
 945 petition is no longer seeking to obtain ballot position.

946 (6) (a) An elector's signature on a petition form may be
 947 ~~revoked within 150 days of the date on which he or she signed~~
 948 ~~the petition form~~ by submitting to the appropriate supervisor of
 949 elections a signed petition-revocation form.

950 Section 18. Section 100.372, Florida Statutes, is created
 951 to read:

952 100.372 Paid petition circulators.--
 953 (1) DEFINITIONS.--As used in this section, the term:
 954 (a) "Department" means the Department of State.
 955 (b) "Paid petition circulator" means a petition circulator
 956 who receives compensation or other valuable consideration as a
 957 direct or indirect consequence of engaging in the activities
 958 described in paragraph (c), other than for the reimbursement of
 959 legitimate out-of-pocket expenses incurred by the petition
 960 circulator in the ordinary course of these activities, as
 961 specified by rule of the department.
 962 (c) "Petition circulator" means a person who, in the
 963 context of a direct, face-to-face interaction, presents to
 964 another person for his or her possible signature an initiative
 965 petition form.
 966 (d) "Registrant" means a person who is registered with the
 967 department as a paid petition circulator.
 968 (2) PROHIBITION ON UNREGISTERED PAID PETITION
 969 CIRCULATING.--A person may not engage in any activities as a
 970 paid petition circulator in this state without first registering
 971 with the department. A person or entity may not provide
 972 compensation or other valuable consideration as a direct or
 973 indirect consequence of the activities described in paragraph
 974 (1) (c) to a petition circulator who is not registered with the
 975 department as a paid petition circulator.
 976 (3) REGISTRATION FOR PAID PETITION CIRCULATORS;
 977 REQUIREMENTS.--
 978 (a) A person may not engage in activities as a paid
 979 petition circulator unless the person:

980 1. Has registered with the department;
 981 2. Submits a signed written affirmation to the department
 982 that he or she has not been convicted of a criminal offense in
 983 this state or any other state or under federal law involving
 984 fraud, forgery, perjury, or identity theft within the 4 years
 985 immediately preceding the date on which the application was
 986 submitted; and

987 3. Does not receive compensation based upon the number of
 988 initiative petition signatures obtained.

989 (b) A person may apply to the department for the
 990 registration required under paragraph (a). The application must
 991 include:

992 1. The full name and any assumed name of the applicant.
 993 2. The residential street address of the applicant.
 994 3. The signature of the applicant.
 995 4. Identification of the initiative petitions that the
 996 applicant will be circulating.

997 5. The name, street address, and telephone number of the
 998 person or entity from which the applicant will receive
 999 compensation as a direct or indirect consequence of the
 1000 activities described in paragraph (1) (c).

1001 6. A statement signed by the applicant acknowledging that
 1002 the applicant has read and understands state and federal law
 1003 applicable to the gathering of signatures on initiative petition
 1004 forms, as the law is summarized in the training program
 1005 established by the department.

1006 7. Evidence indicating that the applicant has completed
 1007 the training program set forth in subsection (6).

1008 8. Two 2-inch by 2-inch passport-style photographs of the
 1009 applicant.

1010 9. Such other information as the department deems
 1011 necessary for the effective administration of the registration
 1012 program.

1013 (c) If an applicant meets the requirements of paragraph
 1014 (a), the department shall register the applicant and assign the
 1015 applicant a registration number no later than 5 business days
 1016 after the date on which the completed application is received.
 1017 As a condition of registration, the registrant shall notify the
 1018 department in writing of any change in the information submitted
 1019 pursuant to this subsection within 10 business days after such
 1020 change.

1021 (4) AFFIRMATION AND EVIDENCE OF REGISTRATION REQUIRED;
 1022 EFFECTS OF NONCOMPLIANCE.--

1023 (a) A signed written affirmation from an authorized
 1024 representative of the political committee sponsoring the
 1025 initiative petition must accompany any initiative petition forms
 1026 submitted for verification to a supervisor of elections if the
 1027 forms were collected by a paid petition circulator. The
 1028 affirmation must attest that the initiative petition forms were
 1029 collected in compliance with the requirements of this section.
 1030 The department shall adopt rules prescribing the form for such
 1031 affirmation. The form shall identify the potential criminal and
 1032 civil penalties for submitting a false affirmation.

1033 (b) The department shall issue to a registrant evidence of
 1034 registration which shall include the registrant's photograph and
 1035 registration number. Such evidence of registration shall

1036 constitute valid proof of the registrant's compliance with this
 1037 section. The department shall designate by rule the form of the
 1038 evidence of registration.

1039 (c) Every initiative petition form presented by a
 1040 registrant to a person for his or her possible signature must
 1041 contain that registrant's registration number as issued by the
 1042 department.

1043 (d) If a signature on a petition form regarding ballot
 1044 placement for an initiative is not gathered in full compliance
 1045 with this section, the signature is invalid and may not be
 1046 verified and counted by the supervisor of elections. If a
 1047 signature is invalidated under this section, the supervisor of
 1048 elections shall return, at the expense of the political
 1049 committee sponsoring the initiative petition, the invalid
 1050 initiative petition form to the political committee within 30
 1051 days after invalidation. The political committee shall, within
 1052 30 days after receipt of an invalid initiative petition form
 1053 from a supervisor of elections, provide written notice to an
 1054 elector whose signature was invalidated. The notice must inform
 1055 the elector that his or her signature on the initiative petition
 1056 form was invalidated due to the failure of the paid petition
 1057 circulator who obtained the elector's signature on the
 1058 initiative petition form to comply with Florida law and provide
 1059 the elector the opportunity to sign another initiative petition
 1060 form as a replacement for the invalidated initiative petition.
 1061 An elector whose signature on an initiative petition form is
 1062 invalidated under this section and who signs another initiative
 1063 petition form as a replacement for the invalidated initiative

1064 petition is not subject to s. 104.185(1) for purposes of this
 1065 paragraph. An initiative petition form submitted to a supervisor
 1066 of elections under the conditions set forth in this section is
 1067 subject to s. 100.371.

1068 (5) INVALID REGISTRATION.--If, at any time, a registered
 1069 paid petition circulator no longer satisfies one or more of the
 1070 requirements set forth in this section, the registration is
 1071 immediately rendered invalid by operation of law and the person
 1072 shall cease all activities as a paid petition circulator. The
 1073 person shall also notify the department in writing of his or her
 1074 failure to meet one or more of the requirements set forth in
 1075 this section within 10 business days.

1076 (6) TRAINING.--The department shall create a training
 1077 program to provide applicants with an overview and explanation
 1078 of the state and federal laws governing the gathering of
 1079 initiative petitions in this state, including, but not limited
 1080 to, all relevant statutes, rules, and court rulings. The
 1081 department may conduct training programs through a secure
 1082 website and may contract with a third-party vendor for the
 1083 administration of the training program.

1084 (7) RULEMAKING.--The department shall adopt rules pursuant
 1085 to ss. 120.536(1) and 120.54 to administer this section,
 1086 including the adoption of a registration fee necessary to cover
 1087 the department's cost of registration, training, and regulation.
 1088 Funds collected from registrants shall be deposited into the
 1089 department's Grants and Donations Trust Fund.

1090 Section 19. Subsection (1) of section 101.043, Florida
 1091 Statutes, is amended to read:

1092 101.043 Identification required at polls.--
 1093 (1) The precinct register, as prescribed in s. 98.461,
 1094 shall be used at the polls for the purpose of identifying the
 1095 elector at the polls prior to allowing him or her to vote. The
 1096 clerk or inspector shall require each elector, upon entering the
 1097 polling place, to present one of the following current and valid
 1098 picture identifications:
 1099 (a) Florida driver's license.
 1100 (b) Florida identification card issued by the Department
 1101 of Highway Safety and Motor Vehicles.
 1102 (c) United States passport.
 1103 (d) Debit or credit card.
 1104 (e) Military identification.
 1105 (f) Student identification.
 1106 ~~(g) Retirement center identification.~~
 1107 ~~(h) Neighborhood association identification.~~
 1108 (g)~~(i)~~ Public assistance identification.

1109
 1110 If the picture identification does not contain the signature of
 1111 the voter, an additional identification that provides the
 1112 voter's signature shall be required. The elector shall sign his
 1113 or her name in the space provided on the precinct register or on
 1114 an electronic device provided for recording the voter's
 1115 signature. The clerk or inspector shall compare the signature
 1116 with that on the identification provided by the elector and
 1117 enter his or her initials in the space provided on the precinct
 1118 register or on an electronic device provided for that purpose
 1119 and allow the elector to vote if the clerk or inspector is

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1120 satisfied as to the identity of the elector.

1121 Section 20. Paragraph (d) of subsection (2) of section
1122 101.045, Florida Statutes, is amended to read:

1123 101.045 Electors must be registered in precinct;
1124 provisions for change of residence or name.--

1125 (2)

1126 (d) An elector who presents an affirmation or application
1127 for change in address of legal residence at the precinct in
1128 which the elector is entitled to vote shall be entitled to cast
1129 a provisional ballot, subject to the requirements and procedures
1130 in s. 101.048. In the case of an affirmation or application for
1131 change of name, such affirmation or application, when completed
1132 and presented at the precinct in which such elector is entitled
1133 to vote, and upon verification of the elector's registration,
1134 shall entitle such elector to vote as provided in this
1135 subsection. If the elector's eligibility to vote cannot be
1136 determined, he or she shall be entitled to vote a provisional
1137 ballot, subject to the requirements and procedures in s.
1138 101.048. Upon receipt of an affirmation or application
1139 certifying a change in address of legal residence or name, the
1140 supervisor shall as soon as practicable make the necessary
1141 changes in the statewide voter registration system to indicate
1142 the change in address of legal residence or name of such
1143 elector.

1144 Section 21. Subsection (2) of section 101.131, Florida
1145 Statutes, is amended, and subsections (4), (5), and (6) are
1146 added to that section, to read:

1147 101.131 Watchers at polls.--

1148 (2) Each party, each political committee, and each
 1149 candidate requesting to have poll watchers shall designate, in
 1150 writing to the supervisor of elections, on a form prescribed by
 1151 the division, before ~~prior to~~ noon of the second Tuesday
 1152 preceding the election, poll watchers for each polling room on
 1153 election day. Designations of poll watchers for early voting
 1154 areas shall be submitted in writing to the supervisor of
 1155 elections, on a form prescribed by the division, before noon at
 1156 least 14 days before early voting begins. The poll watchers for
 1157 ~~each~~ polling rooms ~~room~~ shall be approved by the supervisor of
 1158 elections on or before the Tuesday before the election. Poll
 1159 watchers for early voting areas shall be approved by the
 1160 supervisor of elections no later than 7 days before early voting
 1161 begins. The supervisor shall furnish to each election board a
 1162 list of the poll watchers designated and approved for such
 1163 polling rooms ~~room~~ or early voting areas ~~area~~. Poll watchers
 1164 shall be designated by the chair of the county executive
 1165 committee of a political party, the chair of a political
 1166 committee, or the candidate requesting the presence of poll
 1167 watchers.

1168 (4) All poll watchers shall be allowed to enter and watch
 1169 polls in all polling rooms and early voting areas within the
 1170 county for which they have been designated if the number of poll
 1171 watchers at any particular polling place does not exceed the
 1172 number provided in this section.

1173 (5) The supervisor of elections shall provide to each
 1174 designated poll watcher, no later than 7 days before early
 1175 voting begins, a poll watcher identification badge that

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1176 identifies the poll watcher by name. Each poll watcher shall
 1177 display his or her identification badge while in the polling
 1178 room or early voting area.

1179 (6) The division shall adopt by rule the style and
 1180 requirements for the poll watcher form required in subsection
 1181 (2).

1182 Section 22. Paragraph (c) is added to subsection (1) of
 1183 section 101.151, Florida Statutes, and subsections (2) and (3)
 1184 of that section are amended, to read:

1185 101.151 Specifications for ballots.--

1186 (1)

1187 (c) Marksense ballots shall be printed by precinct.

1188 (2) (a) The ballot shall have the following office titles
 1189 ~~headings~~ under which shall appear ~~the names of the offices and~~
 1190 the names of the candidates for the respective offices in the
 1191 following order:

1192 1. The official titles of heading "President and Vice
 1193 President of the United States" and thereunder the names of the
 1194 candidates for President and Vice President of the United States
 1195 nominated by the political party that received the highest vote
 1196 for Governor in the last general election of the Governor in
 1197 this state. Then shall appear the names of other candidates for
 1198 President and Vice President of the United States who have been
 1199 properly nominated.

1200 2. The official titles ~~Then shall follow the heading~~
 1201 ~~"Congressional" and thereunder the offices~~ of United States
 1202 Senator and Representative in Congress.†

1203 3. The official titles ~~then the heading "State" and~~

1204 ~~thereunder the offices~~ of Governor and Lieutenant Governor,
 1205 Attorney General, Chief Financial Officer, Commissioner of
 1206 Agriculture, State Attorney, followed by the applicable judicial
 1207 circuit for the office, and Public Defender, followed by the
 1208 applicable judicial circuit for the office. ~~together with the~~
 1209 ~~names of the candidates for each office and the title of the~~
 1210 ~~office which they seek; then the heading "Legislative" and~~
 1211 ~~thereunder~~

1212 4. The official titles ~~offices~~ of State Senator and State
 1213 Representative, each followed by the applicable district for the
 1214 office.; ~~then the heading "County" and thereunder~~

1215 5. The official titles of County Clerk of the Circuit
 1216 Court, or Clerk of the Circuit Court and Comptroller (whichever
 1217 is applicable and when authorized by law), Clerk of the County
 1218 Court (when authorized by law), County Sheriff, County Property
 1219 Appraiser, County Tax Collector, District Superintendent of
 1220 Schools, and County Supervisor of Elections.

1221 6. The official titles ~~Thereafter follows: members of the~~
 1222 Board of County Commissioner Commissioners, followed by the
 1223 applicable district, and such other county and district offices
 1224 as are involved in the election, in the order fixed by the
 1225 Department of State, followed, in the year of their election, by
 1226 "Party Offices," and thereunder the offices of state and county
 1227 party executive committee members.

1228 (b) In a general election, in addition to the names
 1229 printed on the ballot, a blank space shall be provided under
 1230 each ~~heading for an~~ office for which a write-in candidate has
 1231 qualified. With respect to write-in candidates, if two or more

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1232 candidates are seeking election to one office, only one blank
 1233 space shall be provided.

1234 ~~(c)~~~~(b)~~ When more than one candidate is nominated for
 1235 office, the candidates for such office shall qualify and run in
 1236 a group or district, and the group or district number shall be
 1237 printed beneath the name of the office. Each nominee of a
 1238 political party chosen in a primary shall appear on the general
 1239 election ballot in the same numbered group or district as on the
 1240 primary election ballot.

1241 ~~(d)~~~~(e)~~ If in any election all the offices as set forth in
 1242 paragraph (a) are not involved, those offices not to be filled
 1243 shall be omitted and the remaining offices shall be arranged on
 1244 the ballot in the order named.

1245 (3) (a) The names of the candidates of the party that
 1246 received the highest number of votes for Governor in the last
 1247 election in which a Governor was elected shall be placed first
 1248 ~~under the heading~~ for each office on the general election
 1249 ballot, together with an appropriate abbreviation of the party
 1250 name; the names of the candidates of the party that received the
 1251 second highest vote for Governor shall be placed second ~~under~~
 1252 ~~the heading~~ for each office, together with an appropriate
 1253 abbreviation of the party name.

1254 (b) Minor political party candidates and candidates with
 1255 no party affiliation shall have their names appear on the
 1256 general election ballot following the names of recognized
 1257 political parties, in the same order as they were qualified
 1258 certified.

1259 Section 23. Subsection (3) of section 101.56075, Florida

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1260 Statutes, is amended to read:

1261 101.56075 Voting methods.--

1262 (3) By 2016 ~~2012~~, persons with disabilities shall vote on
 1263 a voter interface device that meets the voter accessibility
 1264 requirements for individuals with disabilities under s. 301 of
 1265 the federal Help America Vote Act of 2002 and s. 101.56062 which
 1266 are consistent with subsection (1) of this section.

1267 Section 24. Subsection (5) of section 101.5612, Florida
 1268 Statutes, is amended to read:

1269 101.5612 Testing of tabulating equipment.--

1270 (5) Any tests involving marksense ballots pursuant to this
 1271 section shall employ test ~~preprinted~~ ballots created by the
 1272 supervisor of elections using actual ballots that have been
 1273 printed for the election. ~~If preprinted ballots will be used in~~
 1274 ~~the election, and~~ ballot-on-demand ballots will be used in the
 1275 election, the supervisor shall also create test ballots using
 1276 the, ~~if~~ ballot-on-demand technology that will be used to produce
 1277 ballots in the election, using the same paper stock as will be
 1278 used for ballots in the election ~~or both.~~

1279 Section 25. Section 101.591, Florida Statutes, is amended
 1280 to read:

1281 (Substantial rewording of section. See
 1282 s. 101.591, F.S., for present text.)

1283 101.591 Postcertification manual audit.--

1284 (1) The county canvassing board or the local board
 1285 responsible for certifying the election shall conduct a manual
 1286 audit of the voting system used in the election. The audit shall
 1287 be conducted by performing manual counts of votes on marksense

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1288 ballots and of ballot images on direct recording electronic
1289 machines in randomly selected precincts and comparing them to
1290 the corresponding certification for the purpose of ensuring that
1291 the voting system used in the election properly accounted for
1292 all votes.

1293 (2) Except as otherwise provided in this section, the
1294 audit shall consist of a public manual count of the votes cast
1295 in three randomly selected races appearing on the ballot in 3
1296 percent of the precincts in which those races were conducted. If
1297 3 percent of the precincts equals less than a whole number, the
1298 number of precincts to be audited shall be rounded up to the
1299 next whole number. The races and the precincts shall be selected
1300 at a publicly noticed canvassing board meeting. The random
1301 selection of the races and precincts shall be conducted at 3
1302 p.m. on the 9th day after a primary election and at 3 p.m. on
1303 the 14th day after a general election.

1304 (3) The audit shall begin as soon as practicable after the
1305 selection of races and precincts. The canvassing board shall
1306 publish a notice of the audit, including the date, time, and
1307 place thereof, in a newspaper of general circulation in the
1308 county and post the notice on the home page of the supervisor of
1309 elections' Internet website at least 48 hours before the
1310 beginning of the audit.

1311 (4) The audit must be completed and the results made
1312 public no later than 11:59 p.m. on the 7th day after selection
1313 of the races and precincts. Within 7 days after completion of
1314 the audit, the county canvassing board or local board
1315 responsible for conducting the audit shall provide a report with

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1316 the results of the audit to the Department of State in a
 1317 standard format as prescribed by the department.

1318 (5) In any election in which a candidate or issue was
 1319 entitled to a review or counting of overvotes or undervotes
 1320 pursuant to s. 102.166, such candidate or committee chair may
 1321 request in writing that a manual audit be conducted in that
 1322 race. For federal, state, or multicounty candidates, the request
 1323 shall be made to the Secretary of State, who shall immediately
 1324 notify all counties affected by the request. For all other
 1325 candidates, the request shall be made to the canvassing board
 1326 responsible for certifying the election. The request must be
 1327 received no later than 1 p.m. on the 9th day following a primary
 1328 election or no later than 1 p.m. on the 14th day following a
 1329 general election. If a request is made pursuant to this
 1330 subsection, that race will replace one of the races randomly
 1331 selected under subsection (2). If there are more than three such
 1332 requests, the county canvassing board shall decide by lot the
 1333 three races to be audited.

1334 (6) The Department of State shall adopt rules to
 1335 administer this section.

1336 Section 26. Section 101.5911, Florida Statutes, is
 1337 repealed.

1338 Section 27. Paragraph (b) of subsection (1) and
 1339 subsections (3) and (4) of section 101.62, Florida Statutes, are
 1340 amended to read:

1341 101.62 Request for absentee ballots.--

1342 (1)

1343 (b) The supervisor may accept a written or telephonic
 1344 request for an absentee ballot from the elector, or, if directly
 1345 instructed by the elector, a member of the elector's immediate
 1346 family, or the elector's legal guardian. For purposes of this
 1347 section, the term "immediate family" has the same meaning as
 1348 specified in paragraph (4) (c) ~~(b)~~. The person making the request
 1349 must disclose:

- 1350 1. The name of the elector for whom the ballot is
- 1351 requested;
- 1352 2. The elector's address;
- 1353 3. The elector's date of birth;
- 1354 4. The requester's name;
- 1355 5. The requester's address;
- 1356 6. The requester's driver's license number, if available;
- 1357 7. The requester's relationship to the elector; and
- 1358 8. The requester's signature (written requests only).

1359 (3) For each request for an absentee ballot received, the
 1360 supervisor shall record the date the request was made, the date
 1361 the absentee ballot was delivered to the voter or the voter's
 1362 designee or the date the absentee ballot was delivered to the
 1363 post office or other carrier, the date the ballot was received
 1364 by the supervisor, and such other information he or she may deem
 1365 necessary. This information shall be provided in electronic
 1366 format as provided by rule adopted by the division. This
 1367 information shall be made available during the period beginning
 1368 60 days before a primary election and ending 15 days after the
 1369 general election. The information shall be updated and made
 1370 available no later than noon of each day and shall be

1371 contemporaneously provided to the division. This information
 1372 shall be confidential and exempt from the provisions of s.
 1373 119.07(1) and shall be made available to or reproduced only for
 1374 the voter requesting the ballot, a canvassing board, an election
 1375 official, a political party or official thereof, a candidate who
 1376 has filed qualification papers and is opposed in an upcoming
 1377 election, and registered political committees or registered
 1378 committees of continuous existence, for political purposes only.

1379 (4) (a) To each absent qualified elector overseas who has
 1380 requested an absentee ballot, the supervisor of elections shall
 1381 mail an absentee ballot not less than 35 days before the primary
 1382 election and not less than 45 days before the general election.

1383 (b) The supervisor of elections shall begin mailing
 1384 absentee ballots 40 days before the primary election and 50 days
 1385 before the general election to each absent qualified elector,
 1386 including any absent qualified elector overseas, who has
 1387 requested such a ballot. Except as otherwise provided in
 1388 subsection (2) and after the period described in this paragraph,
 1389 the supervisor shall mail absentee ballots within 48 hours after
 1390 receiving a request for such ballot.

1391 (c) ~~(b)~~ The supervisor shall provide an absentee ballot to
 1392 each elector by whom a request for that ballot has been made by
 1393 one of the following means:

1394 1. By nonforwardable, return-if-undeliverable mail to the
 1395 elector's current mailing address on file with the supervisor,
 1396 unless the elector specifies in the request that:

1397 a. The elector is absent from the county and does not plan
 1398 to return before the day of the election;

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1399 b. The elector is temporarily unable to occupy the
 1400 residence because of hurricane, tornado, flood, fire, or other
 1401 emergency or natural disaster; or

1402 c. The elector is in a hospital, assisted living facility,
 1403 nursing home, short-term medical or rehabilitation facility, or
 1404 correctional facility,

1405
 1406 in which case the supervisor shall mail the ballot by
 1407 nonforwardable, return-if-undeliverable mail to any other
 1408 address the elector specifies in the request.

1409 2. By forwardable mail to voters who are entitled to vote
 1410 by absentee ballot under the Uniformed and Overseas Citizens
 1411 Absentee Voting Act.

1412 3. By personal delivery before 7 p.m. on election day to
 1413 the elector, upon presentation of the identification required in
 1414 s. 101.043.

1415 4. By delivery to a designee on election day or up to 5
 1416 days before ~~prior to~~ the day of an election. Any elector may
 1417 designate in writing a person to pick up the ballot for the
 1418 elector; however, the person designated may not pick up more
 1419 than two absentee ballots per election, other than the
 1420 designee's own ballot, except that additional ballots may be
 1421 picked up for members of the designee's immediate family. For
 1422 purposes of this section, "immediate family" means the
 1423 designee's spouse or the parent, child, grandparent, or sibling
 1424 of the designee or of the designee's spouse. The designee shall
 1425 provide to the supervisor the written authorization by the
 1426 elector and a picture identification of the designee and must

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1427 complete an affidavit. The designee shall state in the affidavit
 1428 that the designee is authorized by the elector to pick up that
 1429 ballot and shall indicate if the elector is a member of the
 1430 designee's immediate family and, if so, the relationship. The
 1431 department shall prescribe the form of the affidavit. If the
 1432 supervisor is satisfied that the designee is authorized to pick
 1433 up the ballot and that the signature of the elector on the
 1434 written authorization matches the signature of the elector on
 1435 file, the supervisor shall give the ballot to that designee for
 1436 delivery to the elector.

1437 Section 28. Subsection (2) of section 101.64, Florida
 1438 Statutes, is amended, and subsection (5) is added to that
 1439 section, to read:

1440 101.64 Delivery of absentee ballots; envelopes; form.--

1441 (2) The certificate shall be arranged on the back of the
 1442 mailing envelope so that the line for the signature of the
 1443 absent elector is across the seal of the envelope; however, no
 1444 statement shall appear on the envelope which indicates that a
 1445 signature of the voter must cross the seal of the envelope. The
 1446 absent elector shall execute the certificate on the envelope.
 1447 The supervisor may not place on the mailing envelope any
 1448 information indicating the voter's party affiliation or no-
 1449 party-affiliation status.

1450 (5) The supervisor shall establish and maintain a prepaid
 1451 account with the United States Postal Service for the purpose of
 1452 paying postage on absentee ballots returned to the supervisor
 1453 with insufficient postage.

1454 Section 29. Subsection (1) of section 101.657, Florida

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1455 Statutes, is amended to read:

1456 101.657 Early voting.--

1457 (1) (a) As a convenience to the voter, the supervisor of
 1458 elections shall allow an elector to vote early in the main or
 1459 branch office of the supervisor. The supervisor shall mark,
 1460 code, indicate on, or otherwise track the voter's precinct for
 1461 each early voted ballot. In order for a branch office to be used
 1462 for early voting, it shall be a permanent facility of the
 1463 supervisor and shall have been designated and used as such for
 1464 at least 1 year before ~~prior to~~ the election.

1465 (b) The supervisor may also designate any city hall or
 1466 permanent public library facility as an early voting site. To
 1467 the extent practicable sites; ~~however, if so designated, the~~
 1468 designated ~~the~~ sites must be geographically located so as to
 1469 provide all voters in the county an equal opportunity to cast a
 1470 ballot, ~~insofar as is practicable. The results or tabulation of~~
 1471 ~~votes cast during early voting may not be made before the close~~
 1472 ~~of the polls on election day. Results shall be reported by~~
 1473 ~~precinct.~~

1474 (c) ~~(b)~~ The supervisor shall designate each early voting
 1475 site by no later than the 60th 30th day before a primary ~~prior~~
 1476 ~~to an~~ election and shall designate an early voting area, as
 1477 defined in s. 97.021, at each early voting site. Early voting
 1478 sites for the general election shall be held at the same sites
 1479 designated for a primary election.

1480 (d) ~~(e)~~ All early voting sites in a county shall be open on
 1481 the same days for the same amount of time and shall allow any
 1482 person in line at the closing of an early voting site to vote.

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1483 (e)~~(d)~~ Early voting shall begin on the 15th day before an
1484 election and end on the 2nd day before an election. For purposes
1485 of a special election held pursuant to s. 100.101, early voting
1486 shall begin on the 8th day before an election and end on the 2nd
1487 day before an election. Early voting shall be provided for 8
1488 hours per weekday and 8 hours in the aggregate each weekend at
1489 each site during the applicable periods. Early voting sites
1490 shall open no sooner than 7 a.m. and close no later than 7 p.m.
1491 on each applicable day. Early voting hours and days may be
1492 extended only upon execution by the Governor of an executive
1493 order declaring a state of emergency as authorized in s. 252.36.

1494 (f)~~(e)~~ Notwithstanding the requirements of s. 100.3605,
1495 municipalities may provide early voting in municipal elections
1496 that are not held in conjunction with county or state elections.
1497 If a municipality provides early voting, it may designate as
1498 many sites as necessary and shall conduct its activities in
1499 accordance with the provisions of paragraphs (a)-(d) ~~(a)-(e)~~.
1500 The supervisor is not required to conduct early voting if it is
1501 provided pursuant to this subsection.

1502 (g)~~(f)~~ Notwithstanding the requirements of s. 189.405,
1503 special districts may provide early voting in any district
1504 election not held in conjunction with county or state elections.
1505 If a special district provides early voting, it may designate as
1506 many sites as necessary and shall conduct its activities in
1507 accordance with the provisions of paragraphs (a)-(d) ~~(a)-(e)~~.
1508 The supervisor is not required to conduct early voting if it is
1509 provided pursuant to this subsection.

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1510 (h) The results or tabulation of votes cast during early
 1511 voting may not be disclosed before the close of the polls on
 1512 election day. Results shall be reported by precinct.

1513 Section 30. Subsection (2) of section 101.6923, Florida
 1514 Statutes, is amended to read:

1515 101.6923 Special absentee ballot instructions for certain
 1516 first-time voters.--

1517 (2) A voter covered by this section shall be provided with
 1518 printed instructions with his or her absentee ballot in
 1519 substantially the following form:

1520
 1521 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
 1522 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 1523 BALLOT NOT TO COUNT.

1524
 1525 1. In order to ensure that your absentee ballot will be
 1526 counted, it should be completed and returned as soon as possible
 1527 so that it can reach the supervisor of elections of the county
 1528 in which your precinct is located no later than 7 p.m. on the
 1529 date of the election.

1530 2. Mark your ballot in secret as instructed on the ballot.
 1531 You must mark your own ballot unless you are unable to do so
 1532 because of blindness, disability, or inability to read or write.

1533 3. Mark only the number of candidates or issue choices for
 1534 a race as indicated on the ballot. If you are allowed to "Vote
 1535 for One" candidate and you vote for more than one, your vote in
 1536 that race will not be counted.

1537 4. Place your marked ballot in the enclosed secrecy

1538 envelope and seal the envelope.

1539 5. Insert the secrecy envelope into the enclosed envelope

1540 bearing the Voter's Certificate. Seal the envelope and

1541 completely fill out the Voter's Certificate on the back of the

1542 envelope.

1543 a. You must sign your name on the line above (Voter's

1544 Signature).

1545 b. If you are an overseas voter, you must include the date

1546 you signed the Voter's Certificate on the line above (Date) or

1547 your ballot may not be counted.

1548 6. Unless you meet one of the exemptions in Item 7., you

1549 must make a copy of one of the following forms of

1550 identification:

1551 a. Identification which must include your name and

1552 photograph: United States passport; debit or credit card;

1553 military identification; student identification; ~~retirement~~

1554 ~~center identification; neighborhood association identification;~~

1555 or public assistance identification; or

1556 b. Identification which shows your name and current

1557 residence address: current utility bill, bank statement,

1558 government check, paycheck, or government document (excluding

1559 voter identification card).

1560 7. The identification requirements of Item 6. do not apply

1561 if you meet one of the following requirements:

1562 a. You are 65 years of age or older.

1563 b. You have a temporary or permanent physical disability.

1564 c. You are a member of a uniformed service on active duty

1565 who, by reason of such active duty, will be absent from the

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1566 county on election day.

1567 d. You are a member of the Merchant Marine who, by reason
 1568 of service in the Merchant Marine, will be absent from the
 1569 county on election day.

1570 e. You are the spouse or dependent of a member referred to
 1571 in paragraph c. or paragraph d. who, by reason of the active
 1572 duty or service of the member, will be absent from the county on
 1573 election day.

1574 f. You are currently residing outside the United States.

1575 8. Place the envelope bearing the Voter's Certificate into
 1576 the mailing envelope addressed to the supervisor. Insert a copy
 1577 of your identification in the mailing envelope. DO NOT PUT YOUR
 1578 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
 1579 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
 1580 BALLOT WILL NOT COUNT.

1581 9. Mail, deliver, or have delivered the completed mailing
 1582 envelope. Be sure there is sufficient postage if mailed.

1583 10. FELONY NOTICE. It is a felony under Florida law to
 1584 accept any gift, payment, or gratuity in exchange for your vote
 1585 for a candidate. It is also a felony under Florida law to vote
 1586 in an election using a false identity or false address, or under
 1587 any other circumstances making your ballot false or fraudulent.

1588 Section 31. Subsection (1) of section 101.6952, Florida
 1589 Statutes, is amended to read:

1590 101.6952 Absentee ballots for overseas voters.--

1591 (1) If an overseas voter's request for an absentee ballot
 1592 includes an e-mail address, the supervisor of elections shall:

1593 (a) Record the voter's e-mail address in the absentee

1594 ballot record;

1595 (b) Confirm via e-mail that the absentee request was
 1596 received and inform the voter of the estimated date that the
 1597 ballot will be sent to the voter;

1598 (c) Inform the voter of the names of candidates who will
 1599 be on the ballots via electronic transmission. The supervisor of
 1600 elections shall e-mail to the voter the list of candidates for
 1601 the primary and general election not later than 30 days before
 1602 each election; and

1603 (d) Notify the voter via e-mail when the voted absentee
 1604 ballot is received by the supervisor of elections.

1605 Section 32. Section 101.697, Florida Statutes, is amended
 1606 to read:

1607 101.697 Electronic transmission of election
 1608 materials.--The Department of State shall determine whether
 1609 secure electronic means can be established for requesting,
 1610 sending, or receiving absentee ballots and ballot materials to
 1611 and from overseas voters. Such means may include e-mail,
 1612 facsimile, or other forms of electronic transmission. If such
 1613 security can be established, the department shall adopt rules to
 1614 authorize activities that, at a minimum, provide for a
 1615 ~~supervisor of elections to accept from an overseas voter a~~
 1616 ~~request for an absentee ballot or a voted absentee ballot by~~
 1617 ~~secure facsimile machine transmission or other secure electronic~~
 1618 ~~means. The rules must provide that in order to accept a voted~~
 1619 ~~ballot, the verification of the voter's identity, the secrecy of~~
 1620 ~~the ballot, unless explicitly waived by the voter, must be~~
 1621 ~~established,~~ the security of the transmission ~~must be~~

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1622 ~~established~~, and the recording of each ballot received by the
 1623 supervisor ~~must be recorded~~.

1624 Section 33. Paragraphs (a) and (b) of subsection (4) of
 1625 section 102.031, Florida Statutes, are amended to read:

1626 102.031 Maintenance of good order at polls; authorities;
 1627 persons allowed in polling rooms and early voting areas;
 1628 unlawful solicitation of voters.--

1629 (4) (a) No person, political committee, committee of
 1630 continuous existence, or other group or organization may solicit
 1631 any voter who is:

1632 1. ~~voters~~ Inside the polling place; ~~or~~

1633 2. Within 100 feet of the entrance to any polling place,
 1634 ~~or~~ polling room where the polling place is also a polling room,
 1635 or early voting site; or

1636 3. In line to vote at any polling place or early voting
 1637 site.

1638
 1639 Before the opening of the polling place or early voting site,
 1640 the clerk or supervisor shall designate the 100-foot no-
 1641 solicitation zone and mark the boundaries.

1642 (b) For the purpose of this subsection, the terms
 1643 "solicit" or "solicitation" shall include, but not be limited
 1644 to, seeking or attempting to seek any vote, fact, opinion, or
 1645 contribution; offering or purporting to offer advice of any
 1646 kind; distributing or attempting to distribute any political or
 1647 campaign material, leaflet, or handout; conducting a poll except
 1648 as specified in this paragraph; seeking or attempting to seek a
 1649 signature on any petition; and selling or attempting to sell any

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1650 item. The terms "solicit" or "solicitation" shall not be
1651 construed to prohibit exit polling.

1652 Section 34. Section 102.111, Florida Statutes, is amended
1653 to read:

1654 102.111 Elections Canvassing Commission.--

1655 (1) The Elections Canvassing Commission shall consist of
1656 the Governor and two members of the Cabinet selected by the
1657 Governor, all of whom shall serve ex officio. If a member of the
1658 ~~Elections Canvassing~~ commission is unable to serve for any
1659 reason, the Governor shall appoint a remaining member of the
1660 Cabinet. If there is a further vacancy, the remaining members of
1661 the commission shall agree on another elected official to fill
1662 the vacancy.

1663 (2) The Elections Canvassing Commission shall meet at 9
1664 a.m. on the 9th day after a primary election and at 9 a.m. on
1665 the 14th day after a general election to, ~~as soon as the~~
1666 ~~official results are compiled from all counties,~~ certify the
1667 returns of the election ~~and determine and declare who has been~~
1668 ~~elected~~ for each federal, state, and multicounty office. If a
1669 member of a county canvassing board that was constituted
1670 pursuant to s. 102.141 determines, within 5 days after the
1671 certification by the Elections Canvassing Commission, that a
1672 typographical error occurred in the official returns of the
1673 county, the correction of which could result in a change in the
1674 outcome of an election, the county canvassing board must certify
1675 corrected returns to the Department of State within 24 hours,
1676 and the Elections Canvassing Commission must correct and
1677 recertify the election returns as soon as practicable.

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1678 (3)~~(2)~~ The Division of Elections shall provide the staff
 1679 services required by the Elections Canvassing Commission.

1680 Section 35. Subsection (2) of section 102.112, Florida
 1681 Statutes, is amended to read:

1682 102.112 Deadline for submission of county returns to the
 1683 Department of State.--

1684 (2) Returns must be filed by 5 p.m. on the 7th day
 1685 following a primary election and by noon on the 12th day
 1686 following the general election. However, the Department of State
 1687 may correct typographical errors, including the transposition of
 1688 numbers, in any returns submitted to the Department of State
 1689 pursuant to s. 102.111(2)~~(1)~~.

1690 Section 36. Subsection (7) of section 102.141, Florida
 1691 Statutes, is amended to read:

1692 102.141 County canvassing board; duties.--

1693 (7) If the unofficial returns reflect that a candidate for
 1694 any office was defeated or eliminated by one-half of a percent
 1695 or less of the votes cast for such office, that a candidate for
 1696 retention to a judicial office was retained or not retained by
 1697 one-half of a percent or less of the votes cast on the question
 1698 of retention, or that a measure appearing on the ballot was
 1699 approved or rejected by one-half of a percent or less of the
 1700 votes cast on such measure, ~~the board responsible for certifying~~
 1701 ~~the results of the vote on such race or measure shall order a~~
 1702 recount shall be ordered of the votes cast with respect to such
 1703 office or measure. The Secretary of State Elections Canvassing
 1704 ~~Commission~~ is ~~the board~~ responsible for ordering recounts in
 1705 federal, state, and multicounty rac~~ee~~counts. The county

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1706 canvassing board or the local board responsible for certifying
1707 the election is responsible for ordering recounts in all other
1708 races. A recount need not be ordered with respect to the returns
1709 for any office, however, if the candidate or candidates defeated
1710 or eliminated from contention for such office by one-half of a
1711 percent or less of the votes cast for such office request in
1712 writing that a recount not be made.

1713 (a) Each canvassing board responsible for conducting a
1714 recount shall put each marksense ballot through automatic
1715 tabulating equipment and determine whether the returns correctly
1716 reflect the votes cast. If any marksense ballot is physically
1717 damaged so that it cannot be properly counted by the automatic
1718 tabulating equipment during the recount, a true duplicate shall
1719 be made of the damaged ballot pursuant to the procedures in s.
1720 101.5614(5). Immediately before the start of the recount, a test
1721 of the tabulating equipment shall be conducted as provided in s.
1722 101.5612. If the test indicates no error, the recount tabulation
1723 of the ballots cast shall be presumed correct and such votes
1724 shall be canvassed accordingly. If an error is detected, the
1725 cause therefor shall be ascertained and corrected and the
1726 recount repeated, as necessary. The canvassing board shall
1727 immediately report the error, along with the cause of the error
1728 and the corrective measures being taken, to the Department of
1729 State. No later than 11 days after the election, the canvassing
1730 board shall file a separate incident report with the Department
1731 of State, detailing the resolution of the matter and identifying
1732 any measures that will avoid a future recurrence of the error.

1733 (b) Each canvassing board responsible for conducting a

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1734 recount where touchscreen ballots were used shall examine the
 1735 counters on the precinct tabulators to ensure that the total of
 1736 the returns on the precinct tabulators equals the overall
 1737 election return. If there is a discrepancy between the overall
 1738 election return and the counters of the precinct tabulators, the
 1739 counters of the precinct tabulators shall be presumed correct
 1740 and such votes shall be canvassed accordingly.

1741 (c) The canvassing board shall submit on forms or in
 1742 formats provided by the division a second set of unofficial
 1743 returns to the Department of State for each federal, statewide,
 1744 state, or multicounty office or ballot measure. Such returns
 1745 shall be filed no later than 3 p.m. on the 5th ~~fifth~~ day after
 1746 any primary election and no later than 3 p.m. on the 9th ~~ninth~~
 1747 day after any general election in which a recount was ordered by
 1748 the Secretary of State ~~conducted pursuant to this subsection~~. If
 1749 the canvassing board is unable to complete the recount
 1750 prescribed in this subsection by the deadline, the second set of
 1751 unofficial returns submitted by the canvassing board shall be
 1752 identical to the initial unofficial returns and the submission
 1753 shall also include a detailed explanation of why it was unable
 1754 to timely complete the recount. However, the canvassing board
 1755 shall complete the recount prescribed in this subsection, along
 1756 with any manual recount prescribed in s. 102.166, and certify
 1757 election returns in accordance with the requirements of this
 1758 chapter.

1759 (d) The Department of State shall adopt detailed rules
 1760 prescribing additional recount procedures for each certified
 1761 voting system, which shall be uniform to the extent practicable.

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1762 Section 37. Section 102.166, Florida Statutes, is amended
 1763 to read:

1764 102.166 Manual recounts of overvotes and undervotes.--

1765 (1) If the second set of unofficial returns pursuant to s.
 1766 102.141 indicates that a candidate for any office was defeated
 1767 or eliminated by one-quarter of a percent or less of the votes
 1768 cast for such office, that a candidate for retention to a
 1769 judicial office was retained or not retained by one-quarter of a
 1770 percent or less of the votes cast on the question of retention,
 1771 or that a measure appearing on the ballot was approved or
 1772 rejected by one-quarter of a percent or less of the votes cast
 1773 on such measure, the board responsible for certifying the
 1774 results of the vote on such race or measure shall order a manual
 1775 recount of the overvotes and undervotes cast in the entire
 1776 geographic jurisdiction of such office or ballot measure. A
 1777 manual recount may not be ordered, however, if the number of
 1778 overvotes, undervotes, and provisional ballots is fewer than the
 1779 number of votes needed to change the outcome of the election.

1780 (2) (a) Any hardware or software used to identify and sort
 1781 overvotes and undervotes for a given race or ballot measure must
 1782 be certified by the Department of State as part of the voting
 1783 system pursuant to s. 101.015. Any such hardware or software
 1784 must be capable of simultaneously counting votes.

1785 (b) Overvotes and undervotes shall be identified and
 1786 sorted while recounting ballots pursuant to s. 102.141, if the
 1787 hardware or software for this purpose has been certified or the
 1788 department's rules so provide.

1789 (3) Any manual recount shall be open to the public.

1790 (4) (a) A vote for a candidate or ballot measure shall be
 1791 counted if there is a clear indication on the ballot that the
 1792 voter has made a definite choice.

1793 (b) The Department of State shall adopt specific rules for
 1794 each certified voting system prescribing what constitutes a
 1795 "clear indication on the ballot that the voter has made a
 1796 definite choice." The rules may not:

1797 1. Exclusively provide that the voter must properly mark
 1798 or designate his or her choice on the ballot; or

1799 2. Contain a catch-all provision that fails to identify
 1800 specific standards, such as "any other mark or indication
 1801 clearly indicating that the voter has made a definite choice."

1802 (5) Procedures for a manual recount are as follows:

1803 (a) The county canvassing board shall appoint as many
 1804 counting teams of at least two electors as is necessary to
 1805 manually recount the ballots. A counting team must have, when
 1806 possible, members of at least two political parties. A candidate
 1807 involved in the race shall not be a member of the counting team.

1808 (b) Each duplicate ballot prepared pursuant to s.
 1809 101.5614(5) or s. 102.141(7) shall be compared with the original
 1810 ballot to ensure the correctness of the duplicate.

1811 (c) If a counting team is unable to determine whether the
 1812 ballot contains a clear indication that the voter has made a
 1813 definite choice, the ballot shall be presented to the county
 1814 canvassing board for a determination.

1815 (d) The Department of State shall adopt detailed rules
 1816 prescribing additional recount procedures for each certified
 1817 voting system which shall be uniform to the extent practicable.

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1818 The rules shall address, at a minimum, the following areas:

- 1819 1. Security of ballots during the recount process;
- 1820 2. Time and place of recounts;
- 1821 3. Public observance of recounts;
- 1822 4. Objections to ballot determinations;
- 1823 5. Record of recount proceedings; and
- 1824 6. Procedures relating to candidate and petitioner
- 1825 representatives.

1826 Section 38. Subsections (2) and (4) of section 102.168,
 1827 Florida Statutes, are amended to read:

1828 102.168 Contest of election.--

1829 (2) Such contestant shall file a complaint, together with
 1830 the fees prescribed in chapter 28, with the clerk of the circuit
 1831 court no later than 5 p.m. on the 22nd day after the date of
 1832 ~~within 10 days after midnight of the date the last board~~
 1833 ~~responsible for certifying the results officially certifies the~~
 1834 ~~results of~~ the election being contested.

1835 (4) The ~~county~~ canvassing board responsible for canvassing
 1836 the election is an indispensable ~~and proper~~ party defendant in
 1837 county and local elections. ~~+~~ The Elections Canvassing Commission
 1838 is an indispensable ~~and proper~~ party defendant in federal,
 1839 state, and multicounty elections and in elections for justice of
 1840 the Supreme Court, judge of a district court of appeal, and
 1841 judge of a circuit court. ~~faces; and~~ The successful candidate is
 1842 an indispensable party to any action brought to contest the
 1843 election or nomination of a candidate.

1844 Section 39. Subsection (4), paragraph (b) of subsection
 1845 (6), and subsection (7) of section 103.091, Florida Statutes,

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1846 are amended, subsection (8) of that section is renumbered as
 1847 subsection (9), and a new subsection (8) is added to that
 1848 section, to read:

1849 103.091 Political parties.--

1850 (4) Any political party other than a minor political party
 1851 may by rule provide for the membership of its state or county
 1852 executive committee to be elected for 4-year terms at the
 1853 primary election in each year a presidential election is held.
 1854 The political party may adopt any additional requirements for
 1855 qualifying for the office of state or county executive committee
 1856 member in addition to any other requirements imposed by law. The
 1857 terms shall commence on the first day of the month following
 1858 each presidential general election; but the names of candidates
 1859 for political party offices shall not be placed on the ballot at
 1860 any other election. The results of such election shall be
 1861 determined by a plurality of the votes cast. In such event,
 1862 electors seeking to qualify for such office shall do so with the
 1863 Department of State or supervisor of elections not earlier than
 1864 noon of the 71st day, or later than noon of the 67th day,
 1865 preceding the primary election. The outgoing chair of each
 1866 county executive committee shall, within 30 days after the
 1867 committee members take office, hold an organizational meeting of
 1868 all newly elected members for the purpose of electing officers.
 1869 The chair of each state executive committee shall, within 60
 1870 days after the committee members take office, hold an
 1871 organizational meeting of all newly elected members for the
 1872 purpose of electing officers.

1873 (6)

1874 (b) Each state executive committee shall include, as at-
 1875 large committeemen and committeewomen, all members of the United
 1876 States Congress representing the State of Florida who are
 1877 members of the political party, all statewide elected officials
 1878 who are members of the party, ~~10 Florida registered voters who~~
 1879 ~~are members of the party as appointed by the Governor if the~~
 1880 ~~Governor is a member of the party,~~ and the President of the
 1881 Senate or the Minority Leader in the Senate, and the Speaker of
 1882 the House of Representatives or the Minority Leader in the House
 1883 of Representatives, whichever is a member of the political
 1884 party. The state executive committee shall also include members
 1885 of the political party equal to the number of elected senators
 1886 who are members of the political party, only half of whom must
 1887 be senators as appointed by the President of the Senate or the
 1888 Minority Leader in the Senate, whichever is a member of the
 1889 political party; members of the political party equal to the
 1890 number of elected senators who are members of the political
 1891 party, only half of whom must be representatives as appointed by
 1892 the Speaker of the House of Representatives, or the Minority
 1893 Leader of the House of Representatives, whichever is a member of
 1894 the political party; and members of the political party equal to
 1895 the number of elected senators who are members of the political
 1896 party as appointed by the Governor if the Governor is a member
 1897 of the political party. If the Governor is not a member of the
 1898 political party, the senior Florida United States Senator who is
 1899 a member of the political party shall appoint such members. If
 1900 there is no United States Senator who is a member of the
 1901 political party, the appointments that would otherwise be made

1902 ~~by the Governor or the United States Senator may not be made,~~
 1903 ~~and 20 members of the Legislature who are members of the~~
 1904 ~~political party. Ten of the legislators shall be appointed with~~
 1905 ~~the concurrence of the state chair of the respective party, as~~
 1906 ~~follows: five to be appointed by the President of the Senate;~~
 1907 ~~five by the Minority Leader in the Senate; five by the Speaker~~
 1908 ~~of the House of Representatives; and five by the Minority Leader~~
 1909 ~~in the House.~~

1910 (c) When a political party allows any member of the state
 1911 executive committee to have more than one vote per person, other
 1912 than by proxy, in a matter coming before the state executive
 1913 committee, the 20 members of the Legislature appointed under
 1914 paragraph (b) shall not be appointed to the state executive
 1915 committee and the following elected officials who are members of
 1916 that political party shall be appointed and shall have the
 1917 following votes:

1918 1. Governor: a number equal to 15 percent of votes cast by
 1919 state executive committeemen and committeewomen;

1920 2. Lieutenant Governor: a number equal to 5 percent of the
 1921 votes cast by state executive committeemen and committeewomen;

1922 3. Each member of the United States Senate representing
 1923 the state: a number equal to 10 percent of the votes cast by
 1924 state executive committeemen and committeewomen;

1925 4. Attorney General: a number equal to 5 percent of the
 1926 votes cast by state executive committeemen and committeewomen;

1927 5. Chief Financial Officer: a number equal to 5 percent of
 1928 the votes cast by state executive committeemen and
 1929 committeewomen;

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1930 6. Commissioner of Agriculture: a number equal to 5
 1931 percent of the votes cast by state executive committeemen and
 1932 committeewomen;

1933 7. President of the Senate: a number equal to 10 percent
 1934 of the votes cast by state executive committeemen and
 1935 committeewomen;

1936 8. Minority leader of the Senate: a number equal to 10
 1937 percent of the votes cast by state executive committeemen and
 1938 committeewomen;

1939 9. Speaker of the House of Representatives: a number equal
 1940 to 10 percent of the votes cast by state executive committeemen
 1941 and committeewomen;

1942 10. Minority leader of the House of Representatives: a
 1943 number equal to 10 percent of the votes cast by state executive
 1944 committeemen and committeewomen; and

1945 11. Each member of the United States House of
 1946 Representatives representing the state: a number equal to 1
 1947 percent of the votes cast by state executive committeemen and
 1948 committeewomen.

1949 (7) Members of the state executive committee or governing
 1950 body may vote by proxy if proxy voting is permitted by party
 1951 rule.

1952 (8) Each member of a state executive committee, whether
 1953 elected or appointed, shall be considered a full member with all
 1954 rights and privileges of that office.

1955 Section 40. Paragraph (c) is added to subsection (1) of
 1956 section 103.121, Florida Statutes, to read:

1957 103.121 Powers and duties of executive committees.--

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1958 (1)
 1959 (c) Venue for any action involving a political party's
 1960 constitution, rules, or bylaws shall be in the Circuit Court of
 1961 Leon County.

1962 Section 41. Subsections (4) and (5) of section 105.031,
 1963 Florida Statutes, are amended to read:

1964 105.031 Qualification; filing fee; candidate's oath; items
 1965 required to be filed.--

1966 (4) CANDIDATE'S OATH.--

1967 (a) All candidates for the office of school board member
 1968 shall subscribe to the oath as prescribed in s. 99.021.

1969 (b) All candidates for judicial office shall subscribe to
 1970 an oath or affirmation in writing to be filed with the
 1971 appropriate qualifying officer upon qualifying. A ~~printed~~ copy
 1972 of the oath or affirmation shall be made available ~~furnished~~ to
 1973 the candidate by the qualifying officer and shall be in
 1974 substantially the following form:

1975
 1976 State of Florida
 1977 County of

1978 Before me, an officer authorized to administer oaths,
 1979 personally appeared ... (please print name as you wish it to
 1980 appear on the ballot) ..., to me well known, who, being sworn,
 1981 says he or she: is a candidate for the judicial office of;
 1982 that his or her legal residence is County, Florida; that he
 1983 or she is a qualified elector of the state and of the
 1984 territorial jurisdiction of the court to which he or she seeks
 1985 election; that he or she is qualified under the constitution and

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1986 laws of Florida to hold the judicial office to which he or she
 1987 desires to be elected or in which he or she desires to be
 1988 retained; ~~that he or she has taken the oath required by ss.~~
 1989 ~~876.05-876.10, Florida Statutes;~~ that he or she has qualified
 1990 for no other public office in the state, the term of which
 1991 office or any part thereof runs concurrent to the office he or
 1992 she seeks; ~~and~~ that he or she has resigned from any office which
 1993 he or she is required to resign pursuant to s. 99.012, Florida
 1994 Statutes; and that he or she will support the Constitution of
 1995 the United States and the Constitution of the State of Florida.

1996 ... (Signature of candidate)...

1997 ... (Address)...

1998
 1999 Sworn to and subscribed before me this day of,
 2000 ... (year), ... at County, Florida.

2001 ... (Signature and title of officer administering oath)...

2002 (5) ITEMS REQUIRED TO BE FILED.--

2003 (a) In order for a candidate for judicial office or the
 2004 office of school board member to be qualified, the original of
 2005 the following items must be received by the filing officer by
 2006 the end of the qualifying period:

2007 1. Except for candidates for retention to judicial office,
 2008 a properly executed check drawn upon the candidate's campaign
 2009 account payable to the person or entity as prescribed by the
 2010 filing officer in an amount not less than the fee required by
 2011 subsection (3), unless the candidate obtained the required
 2012 number of signatures on petitions ~~or, in lieu thereof, the copy~~
 2013 ~~of the notice of obtaining ballot position~~ pursuant to s.

2014 105.035. If a candidate's check is returned by the bank for any
 2015 reason, the filing officer shall immediately notify the
 2016 candidate and the candidate shall, the end of qualifying
 2017 notwithstanding, have 48 hours from the time such notification
 2018 is received, excluding Saturdays, Sundays, and legal holidays,
 2019 to pay the fee with a cashier's check purchased from funds of
 2020 the campaign account. Failure to pay the fee as provided in this
 2021 subparagraph shall disqualify the candidate.

2022 2. The candidate's oath required by subsection (4), which
 2023 must contain the name of the candidate as it is to appear on the
 2024 ballot; the office sought, including the district or group
 2025 number if applicable; and the signature of the candidate, duly
 2026 notarized pursuant to s. 117.05 ~~acknowledged~~.

2027 ~~3. The loyalty oath required by s. 876.05, signed by the~~
 2028 ~~candidate and duly acknowledged.~~

2029 3.4. The completed form for the appointment of campaign
 2030 treasurer and designation of campaign depository, as required by
 2031 s. 106.021, to include the name, address, and telephone number
 2032 of the candidate; the office sought, with district, circuit, or
 2033 group designation, as applicable; the name, address, and
 2034 telephone number of the campaign treasurer; the name and address
 2035 of the primary campaign depository; the dated signatures of the
 2036 candidate and the campaign treasurer; and the acceptance of the
 2037 appointment by the campaign treasurer. In addition, each
 2038 candidate for judicial office, including an incumbent judge,
 2039 shall file a statement with the qualifying officer, within 10
 2040 days after filing the appointment of campaign treasurer and
 2041 designation of campaign depository, stating that the candidate

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2042 has read and understands the requirements of the Florida Code of
 2043 Judicial Conduct. Such statement shall be in substantially the
 2044 following form:

2045
 2046 Statement of Candidate for Judicial Office

2047
 2048 I, ...(name of candidate)..., a judicial candidate, have
 2049 been provided access to ~~received~~, read, and understand the
 2050 requirements of the Florida Code of Judicial Conduct.

2051 ... (Signature of candidate)...

2052 ... (Date)...

2053 ~~4.5.~~ The full and public disclosure of financial interests
 2054 required by s. 8, Art. II of the State Constitution, duly
 2055 notarized pursuant to s. 117.05, or the statement of financial
 2056 interests required by s. 112.3145, whichever is applicable. A
 2057 public officer who has filed the full and public disclosure or
 2058 statement of financial interests with the Commission on Ethics
 2059 or the supervisor of elections prior to qualifying for office
 2060 may file a copy of that disclosure at the time of qualifying.

2061 (b) If the filing officer receives qualifying papers
 2062 during the qualifying period prescribed in this section that do
 2063 not include all items ~~as~~ required by paragraph (a) prior to the
 2064 last day of qualifying, the filing officer shall make a
 2065 reasonable effort to notify the candidate of the missing or
 2066 incomplete items and shall inform the candidate that all
 2067 required items must be received by the close of qualifying. A
 2068 candidate's name as it is to appear on the ballot may not be
 2069 changed after the end of qualifying.

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2070 Section 42. Subsection (16) of section 106.011, Florida
 2071 Statutes, is amended to read:

2072 106.011 Definitions.--As used in this chapter, the
 2073 following terms have the following meanings unless the context
 2074 clearly indicates otherwise:

2075 (16) "Candidate" means any person to whom any one or more
 2076 of the following apply:

2077 (a) Any person who seeks to qualify for nomination or
 2078 election by means of the petitioning process.

2079 (b) Any person who seeks to qualify for election as a
 2080 write-in candidate.

2081 (c) Any person who receives contributions or makes
 2082 expenditures, or consents for any other person to receive
 2083 contributions or make expenditures, with a view to bring about
 2084 his or her nomination or election to, or retention in, public
 2085 office. Expenditures related to potential candidate polls as
 2086 described in s. 106.17 are not contributions or expenditures for
 2087 purposes of this subsection.

2088 (d) Any person who appoints a treasurer and designates a
 2089 primary depository.

2090 (e) Any person who files qualification papers and
 2091 subscribes to a candidate's oath as required by law.

2092
 2093 However, this definition does not include any candidate for a
 2094 political party executive committee.

2095 Section 43. Subsection (2) of section 106.08, Florida
 2096 Statutes, is amended to read:

2097 106.08 Contributions; limitations on.--

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2098 (2) (a) A candidate may not accept contributions from
 2099 national, state, including any subordinate committee of a
 2100 national, state, or county committee of a political party, and
 2101 county executive committees of a political party, which
 2102 contributions in the aggregate exceed \$50,000, ~~no more than~~
 2103 ~~\$25,000 of which may be accepted prior to the 28-day period~~
 2104 ~~immediately preceding the date of the general election.~~

2105 (b) A candidate for statewide office may not accept
 2106 contributions from national, state, or county executive
 2107 committees of a political party, including any subordinate
 2108 committee of a national, state, or county committee of a
 2109 political party, which contributions in the aggregate exceed
 2110 \$250,000, ~~no more than \$125,000 of which may be accepted prior~~
 2111 ~~to the 28-day period immediately preceding the date of the~~
 2112 ~~general election.~~ Polling services, research services, costs for
 2113 campaign staff, including office expenses, professional
 2114 consulting services, communications media, and telephone calls
 2115 are not contributions to be counted toward the contribution
 2116 limits of paragraph (a) or this paragraph. Any item not
 2117 expressly identified in this paragraph as nonallocable is a
 2118 contribution in an amount equal to the fair market value of the
 2119 item and must be counted as allocable toward the contribution
 2120 limits of paragraph (a) or this paragraph. Nonallocable, in-kind
 2121 contributions must be reported by the candidate under s. 106.07
 2122 and by the political party under s. 106.29.

2123 Section 44. Subsection (6) of section 106.141, Florida
 2124 Statutes, is amended to read:

2125 106.141 Disposition of surplus funds by candidates.--

2126 (6) (a) Before ~~Prior to~~ disposing of funds pursuant to
 2127 subsection (4) or transferring funds into an office account
 2128 pursuant to subsection (5), any candidate who filed an oath
 2129 stating that he or she was unable to pay the election assessment
 2130 or fee for verification of petition signatures without imposing
 2131 an undue burden on his or her personal resources or on resources
 2132 otherwise available to him or her, or who filed both such oaths,
 2133 or who qualified by the petition process and was not required to
 2134 pay an election assessment, shall reimburse the state or local
 2135 governmental entity, whichever is applicable, for such waived
 2136 assessment or fee or both. Such reimbursement shall be made
 2137 first for the cost of petition verification and then, if funds
 2138 are remaining, for the amount of the election assessment. If
 2139 there are insufficient funds in the account to pay the full
 2140 amount of either the assessment or the fee or both, the
 2141 remaining funds shall be disbursed in the above manner until no
 2142 funds remain. All funds disbursed pursuant to this paragraph
 2143 ~~subsection~~ shall be remitted to the qualifying officer. Any
 2144 reimbursement for petition verification costs which are
 2145 reimbursable by the state shall be forwarded by the qualifying
 2146 officer to the state for deposit in the General Revenue Fund.
 2147 All reimbursements for the amount of the election assessment
 2148 shall be forwarded by the qualifying officer to the Department
 2149 of State for deposit in the General Revenue Fund.

2150 (b) The qualifying officer shall notify the candidate no
 2151 later than 14 days after the candidate becomes unopposed of:

- 2152 1. The requirements of paragraph (a).

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2153 2. If the qualifying officer verified the signatures on
 2154 petitions for the candidate, the amount owed for petition
 2155 verification fees, and if the qualifying officer was not the
 2156 officer responsible for verifying the signatures on petitions
 2157 for the candidate, whom to contact to determine the amount owed
 2158 for signature verification fees.

2159 3. The amount owed for the election assessment if the
 2160 candidate has any funds remaining after payment of the signature
 2161 verification fees.

2162 Section 45. Subsection (2) of section 106.143, Florida
 2163 Statutes, is amended, and subsection (9) is added to that
 2164 section, to read:

2165 106.143 Political advertisements circulated prior to
 2166 election; requirements.--

2167 (2)(a) Any political advertisement of a candidate running
 2168 for partisan office shall express the name of the political
 2169 party of which the candidate is seeking nomination or is the
 2170 nominee. If the candidate for partisan office is running as a
 2171 candidate with no party affiliation, any political advertisement
 2172 of the candidate must state that the candidate has no party
 2173 affiliation.

2174 (b) Political advertisements made pursuant to s. 106.08 or
 2175 by a political party provided as an in-kind contribution to a
 2176 candidate running for partisan office must prominently state:
 2177 "Paid political advertisement paid for in kind by ... (name of
 2178 political party).... Approved by ... (name of person, party
 2179 affiliation, and office sought in the political
 2180 advertisement)...."

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2181 (9) Political advertisements paid for by political parties
 2182 may use names and abbreviations as filed pursuant to s. 103.081
 2183 in the disclaimer.

2184 Section 46. Section 106.17, Florida Statutes, is amended
 2185 to read:

2186 106.17 Polls and surveys relating to candidacies.--Any
 2187 candidate, political committee, committee of continuous
 2188 existence, electioneering communication organization, or state
 2189 or county executive committee of a political party may authorize
 2190 or conduct a political poll, survey, index, or measurement of
 2191 any kind relating to candidacy for public office so long as the
 2192 candidate, political committee, committee of continuous
 2193 existence, electioneering communication organization, or
 2194 political party maintains complete jurisdiction over the poll in
 2195 all its aspects. A state or county executive committee of a
 2196 political party may authorize and conduct political polls for
 2197 the purpose of determining the viability of a potential
 2198 candidate. Such poll results may be shared with the potential
 2199 candidate if the potential candidate has not filed as a
 2200 candidate or write-in candidate or sought to qualify for
 2201 elective office by the petition process before the results of
 2202 the poll are shared. Expenditures incurred by state and county
 2203 executive committees for potential candidate polls do not
 2204 constitute contributions to potential candidates.

2205 Section 47. Subsections (4) and (6) of section 106.24,
 2206 Florida Statutes, are amended to read:

2207 106.24 Florida Elections Commission; membership; powers;
 2208 duties.--

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2209 (4) The commission shall appoint an executive director,
 2210 subject to confirmation by the Senate. The executive director
 2211 ~~who~~ shall serve under the direction, supervision, and control of
 2212 the commission. The executive director shall be appointed for a
 2213 term of 2 years and may not serve more than four consecutive 2-
 2214 year terms. The executive director, with the consent of the
 2215 commission, shall employ such staff as are necessary to
 2216 adequately perform the functions of the commission, within
 2217 budgetary limitations. All employees, except the executive
 2218 director and attorneys, are subject to part II of chapter 110.
 2219 The executive director shall serve at the pleasure of the
 2220 commission and be subject to part III of chapter 110, except
 2221 that the commission shall have complete authority for setting
 2222 the executive director's salary. Attorneys employed by the
 2223 commission shall be subject to part V of chapter 110.

2224 (6) There is ~~hereby~~ established in the State Treasury an
 2225 Elections Commission Trust Fund to be utilized by the Division
 2226 of Elections and the Florida Elections Commission in order to
 2227 carry out their duties pursuant to ss. 106.24-106.28. The trust
 2228 fund may also be used by the Secretary of State, pursuant to his
 2229 or her authority under s. 97.012(14), to provide rewards for
 2230 information leading to criminal convictions related to voter
 2231 registration fraud, voter fraud, and vote scams.

2232 Section 48. Subsection (1) of section 106.29, Florida
 2233 Statutes, is amended to read:

2234 106.29 Reports by political parties; restrictions on
 2235 contributions and expenditures; penalties.--

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2236 (1) The state executive committee and each county
 2237 executive committee of each political party regulated by chapter
 2238 103 shall file regular reports of all contributions received and
 2239 all expenditures made by such committee. Such reports shall
 2240 contain the same information as do reports required of
 2241 candidates by s. 106.07, except that expenditures for salaries
 2242 may be reported in the aggregate. The reports ~~and~~ shall be filed
 2243 on the 10th day following the end of each calendar quarter,
 2244 except that, during the period from the last day for candidate
 2245 qualifying until the general election, such reports shall be
 2246 filed on the Friday immediately preceding both the primary
 2247 election and the general election. In addition to the reports
 2248 filed under this section, the state executive committee and each
 2249 county executive committee shall file a copy of each prior
 2250 written acceptance of an in-kind contribution given by the
 2251 committee during the preceding calendar quarter as required
 2252 under s. 106.08(6). Each state executive committee shall file
 2253 the original and one copy of its reports with the Division of
 2254 Elections. Each county executive committee shall file its
 2255 reports with the supervisor of elections in the county in which
 2256 such committee exists. Any state or county executive committee
 2257 failing to file a report on the designated due date shall be
 2258 subject to a fine as provided in subsection (3). No separate
 2259 fine shall be assessed for failure to file a copy of any report
 2260 required by this section.

2261 Section 49. Section 106.295, Florida Statutes, is amended
 2262 to read:

2263 106.295 Leadership fund.--

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2264 (1) For purposes of this section:

2265 (a) "Leadership fund" means accounts comprised of any
 2266 moneys contributed to a political party, directly or indirectly,
 2267 which are designated to be used at the partial or total
 2268 discretion of a leader.

2269 (b) "Leader" means the President of the Senate, the
 2270 Speaker of the House of Representatives, the majority leader and
 2271 the minority leader of each house, and any person designated by
 2272 a political caucus of members of either house to succeed to any
 2273 such position.

2274 (2) Notwithstanding any other provision of law, leadership
 2275 funds are authorized ~~prohibited~~ in this state. ~~No leader shall~~
 2276 ~~accept any leadership funds.~~

2277 ~~(3) This section applies to leadership funds in existence~~
 2278 ~~on or after January 1, 1990.~~

2279 Section 50. Subsection (2) of section 121.121, Florida
 2280 Statutes, is amended to read:

2281 121.121 Authorized leaves of absence.--

2282 (2) A member who is required to resign his or her office
 2283 as a subordinate officer, deputy sheriff, or police officer
 2284 because he or she is a candidate for a public office which is
 2285 currently held by his or her superior officer who is also a
 2286 candidate for reelection to the same office, in accordance with
 2287 s. 99.012 (5) ~~(4)~~, shall, upon return to covered employment, be
 2288 eligible to purchase retirement credit for the period between
 2289 his or her date of resignation and the beginning of the term of
 2290 office for which he or she was a candidate as a leave of absence
 2291 without pay, as provided in subsection (1).

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2292 Section 51. Subsection (11) of section 379.352, Florida
 2293 Statutes, is amended to read:

2294 379.352 Recreational licenses, permits, and authorization
 2295 numbers to take wild animal life, freshwater aquatic life, and
 2296 marine life; issuance; costs; reporting.--

2297 (11) When acting in its official capacity pursuant to this
 2298 section, neither the commission nor a subagent is deemed a
 2299 third-party voter registration organization, as defined in s.
 2300 97.021 (37) ~~(36)~~, or a voter registration agency, as defined in s.
 2301 97.021 (41) ~~(40)~~, and is not authorized to solicit, accept, or
 2302 collect voter registration applications or provide voter
 2303 registration services.

2304 Section 52. Subsection (1) of section 876.05, Florida
 2305 Statutes, is amended to read:

2306 876.05 Public employees; oath.--

2307 (1) All persons who now or hereafter are employed by or
 2308 who now or hereafter are on the payroll of the state, or any of
 2309 its departments and agencies, subdivisions, counties, cities,
 2310 school boards and districts of the free public school system of
 2311 the state or counties, or institutions of higher learning, ~~and~~
 2312 ~~all candidates for public office, except candidates for federal~~
 2313 ~~office,~~ are required to take an oath before any person duly
 2314 authorized to take acknowledgments of instruments for public
 2315 record in the state in the following form:

2316
 2317 I,, a citizen of the State of Florida and of the
 2318 United States of America, and being employed by or an officer of
 2319 and a recipient of public funds as such employee or

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2320 officer, do hereby solemnly swear or affirm that I will support
2321 the Constitution of the United States and of the State of
2322 Florida.

2323 Section 53. Section 876.07, Florida Statutes, is repealed.

2324 Section 54. Any signature gathered on a previously
2325 approved initiative petition form that is submitted for
2326 verification before October 1, 2009, may be verified and counted
2327 if otherwise valid. However, any signature gathered on an
2328 initiative petition form that is submitted for verification on
2329 or after October 1, 2009, may be verified and counted only if
2330 such form complies with this act.

2331 Section 55. If any provision of this act or its
2332 application to any person or circumstance is held invalid, the
2333 invalidity does not affect other provisions or applications of
2334 the act which can be given effect without the invalid provision
2335 or application, and to this end the provisions of this act are
2336 severable.

2337 Section 56. This act shall take effect July 1, 2009.