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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/RE/2R

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05/05/2011 03:16 PM

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Senator Diaz de la Portilla moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (16) is added to section 97.012,  
Florida Statutes, to read:

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

(16) Provide written direction and opinions to the  
supervisors of elections on the performance of their official  
duties with respect to the Florida Election Code or rules  
adopted by the Department of State.



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14 Section 2. Subsection (18) of section 97.021, Florida  
15 Statutes, is amended to read:

16 97.021 Definitions.—For the purposes of this code, except  
17 where the context clearly indicates otherwise, the term:

18 (18) "Minor political party" is any group as specified  
19 ~~defined in s. 103.095 this subsection~~ which on January 1  
20 preceding a primary election does not have registered as members  
21 5 percent of the total registered electors of the state. ~~Any~~  
22 ~~group of citizens organized for the general purposes of electing~~  
23 ~~to office qualified persons and determining public issues under~~  
24 ~~the democratic processes of the United States may become a minor~~  
25 ~~political party of this state by filing with the department a~~  
26 ~~certificate showing the name of the organization, the names of~~  
27 ~~its current officers, including the members of its executive~~  
28 ~~committee, and a copy of its constitution or bylaws. It shall be~~  
29 ~~the duty of the minor political party to notify the department~~  
30 ~~of any changes in the filing certificate within 5 days of such~~  
31 ~~changes.~~

32 Section 3. Section 97.025, Florida Statutes, is amended to  
33 read:

34 97.025 Election Code; copies thereof.—A pamphlet of a  
35 reprint of the Election Code, adequately indexed, shall be  
36 prepared by the Department of State. The pamphlet shall be made  
37 available ~~It shall have a sufficient number of these pamphlets~~  
38 ~~printed so that one may be given, upon request, to each~~  
39 ~~candidate who qualifies with the department. The pamphlet shall~~  
40 be made available ~~A sufficient number may be sent to each~~  
41 ~~supervisor, prior to the first day of qualifying, so that for~~  
42 ~~distribution, upon request, to each candidate who qualifies with~~



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43 the supervisor and ~~to~~ each clerk of elections have access to the  
44 pamphlet. The cost of making printing the pamphlets available  
45 shall be paid out of funds appropriated for conducting  
46 elections.

47 Section 4. Section 97.0575, Florida Statutes, is amended to  
48 read:

49 97.0575 Third-party voter registrations.-

50 (1) Before engaging in any voter registration activities, a  
51 third-party voter registration organization must register and  
52 provide to the division, in an electronic format, the following  
53 information:

54 (a) The names of the officers of the organization and the  
55 name and permanent address of the organization.

56 (b) The name and address of the organization's registered  
57 agent in the state.

58 (c) The names, permanent addresses, and temporary  
59 addresses, if any, of each registration agent registering  
60 persons to vote in this state on behalf of the organization.

61 (d) A sworn statement from each registration agent employed  
62 by or volunteering for the organization stating that the agent  
63 will obey all state laws and rules regarding the registration of  
64 voters. Such statement must be on a form containing notice of  
65 applicable penalties for false registration.

66 (2) The division or the supervisor of elections shall make  
67 voter registration forms available to third-party voter  
68 registration organizations. All such forms must contain  
69 information identifying the organization to which the forms are  
70 provided. The division shall maintain a database of all third-  
71 party voter registration organizations and the voter



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72 registration forms assigned to the third-party voter  
73 registration organization. Each supervisor of elections shall  
74 provide to the division information on voter registration forms  
75 assigned to and received from third-party voter registration  
76 organizations. The information must be provided in a format and  
77 at times as required by the division by rule. The division must  
78 update information on third-party voter registrations daily and  
79 make the information publicly available.

80 ~~(1) Prior to engaging in any voter registration activities,~~  
81 ~~a third-party voter registration organization shall name a~~  
82 ~~registered agent in the state and submit to the division, in a~~  
83 ~~form adopted by the division, the name of the registered agent~~  
84 ~~and the name of those individuals responsible for the day-to-day~~  
85 ~~operation of the third-party voter registration organization,~~  
86 ~~including, if applicable, the names of the entity's board of~~  
87 ~~directors, president, vice president, managing partner, or such~~  
88 ~~other individuals engaged in similar duties or functions. On or~~  
89 ~~before the 15th day after the end of each calendar quarter, each~~  
90 ~~third-party voter registration organization shall submit to the~~  
91 ~~division a report providing the date and location of any~~  
92 ~~organized voter registration drives conducted by the~~  
93 ~~organization in the prior calendar quarter.~~

94 ~~(2) The failure to submit the information required by~~  
95 ~~subsection (1) does not subject the third-party voter~~  
96 ~~registration organization to any civil or criminal penalties for~~  
97 ~~such failure, and the failure to submit such information is not~~  
98 ~~a basis for denying such third-party voter registration~~  
99 ~~organization with copies of voter registration application~~  
100 ~~forms.~~



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101           (3) (a) A third-party voter registration organization that  
102 collects voter registration applications serves as a fiduciary  
103 to the applicant, ensuring that any voter registration  
104 application entrusted to the ~~third-party voter registration~~  
105 organization, irrespective of party affiliation, race,  
106 ethnicity, or gender, shall be promptly delivered to the  
107 division or the supervisor of elections within 48 hours after  
108 the applicant completes it or the next business day if the  
109 appropriate office is closed for that 48-hour period. If a voter  
110 registration application collected by any third-party voter  
111 registration organization is not promptly delivered to the  
112 division or supervisor of elections, the third-party voter  
113 registration organization is ~~shall be~~ liable for the following  
114 fines:

115           1.(a) A fine in the amount of \$50 for each application  
116 received by the division or the supervisor of elections more  
117 than 48 hours ~~10 days~~ after the applicant delivered the  
118 completed voter registration application to the third-party  
119 voter registration organization or any person, entity, or agent  
120 acting on its behalf or the next business day, if the office is  
121 closed. A fine in the amount of \$250 for each application  
122 received if the third-party voter registration organization or  
123 person, entity, or agency acting on its behalf acted willfully.

124           2.(b) A fine in the amount of \$100 for each application  
125 collected by a third-party voter registration organization or  
126 any person, entity, or agent acting on its behalf, before ~~prior~~  
127 ~~to~~ book closing for any given election for federal or state  
128 office and received by the division or the supervisor of  
129 elections after the book-closing ~~book-closing~~ deadline for such



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130 election. A fine in the amount of \$500 for each application  
131 received if the third-party registration organization or person,  
132 entity, or agency acting on its behalf acted willfully.

133 3.(e) A fine in the amount of \$500 for each application  
134 collected by a third-party voter registration organization or  
135 any person, entity, or agent acting on its behalf, which is not  
136 submitted to the division or supervisor of elections. A fine in  
137 the amount of \$1,000 for any application not submitted if the  
138 third-party voter registration organization or person, entity,  
139 or agency acting on its behalf acted willfully.

140  
141 The aggregate fine pursuant to this paragraph subsection which  
142 may be assessed against a third-party voter registration  
143 organization, including affiliate organizations, for violations  
144 committed in a calendar year is shall be \$1,000.

145 (b) A showing by the fines provided in this subsection  
146 shall be reduced by three-fourths in cases in which the third-  
147 party voter registration organization that the failure to  
148 deliver the voter registration application within the required  
149 timeframe is based upon force majeure or impossibility of  
150 performance shall be an affirmative defense to a violation of  
151 this subsection has complied with subsection (1). The secretary  
152 may shall waive the fines described in this subsection upon a  
153 showing that the failure to deliver the voter registration  
154 application promptly is based upon force majeure or  
155 impossibility of performance.

156 (4) If the Secretary of State reasonably believes that a  
157 person has committed a violation of this section, the secretary  
158 may refer the matter to the Attorney General for enforcement.



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159 The Attorney General may institute a civil action for a  
160 violation of this section or to prevent a violation of this  
161 section. An action for relief may include a permanent or  
162 temporary injunction, a restraining order, or any other  
163 appropriate order.

164 (5) ~~(4) (a)~~ The division shall adopt by rule a form to elicit  
165 specific information concerning the facts and circumstances from  
166 a person who claims to have been registered to vote by a third-  
167 party voter registration organization but who does not appear as  
168 an active voter on the voter registration rolls. The division  
169 shall also adopt rules to ensure the integrity of the  
170 registration process, including rules requiring third-party  
171 voter registration organizations to account for all state and  
172 federal registration forms used by their registration agents.  
173 Such rules may require an organization to provide organization  
174 and form specific identification information on each form as  
175 determined by the department as needed to assist in the  
176 accounting of state and federal registration forms.

177 ~~(b) The division may investigate any violation of this~~  
178 ~~section. Civil fines shall be assessed by the division and~~  
179 ~~enforced through any appropriate legal proceedings.~~

180 (6) ~~(5)~~ The date on which an applicant signs a voter  
181 registration application is presumed to be the date on which the  
182 third-party voter registration organization received or  
183 collected the voter registration application.

184 (7) The requirements of this section are retroactive for  
185 any third-party voter registration organization registered with  
186 the department on the effective date of this act, and must be  
187 complied with within 90 days after the department provides



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188 notice to the third-party voter registration organization of the  
189 requirements contained in this section. Failure of the third-  
190 party voter registration organization to comply with the  
191 requirements within 90 days after receipt of the notice shall  
192 automatically result in the cancellation of the third-party  
193 voter registration organization's registration.

194 ~~(6) The civil fines provided in this section are in~~  
195 ~~addition to any applicable criminal penalties.~~

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

199 ~~(8) The division may adopt rules to administer this~~  
200 ~~section.~~

201 Section 5. Section 97.071, Florida Statutes, is amended to  
202 read:

203 97.071 Voter information card.—

204 (1) A voter information card shall be furnished by the  
205 supervisor to all registered voters residing in the supervisor's  
206 county. The card must contain:

207 (a) Voter's registration number.

208 (b) Date of registration.

209 (c) Full name.

210 (d) Party affiliation.

211 (e) Date of birth.

212 (f) Address of legal residence.

213 (g) Precinct number.

214 (h) Polling place address.

215 (i) ~~(h)~~ Name of supervisor and contact information of  
216 supervisor.





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217        (j)~~(i)~~ Other information deemed necessary by the  
218 supervisor.

219            (2) A voter may receive a replacement voter information  
220 card by providing a signed, written request for a replacement  
221 card to a voter registration official. Upon verification of  
222 registration, the supervisor shall issue the voter a duplicate  
223 card without charge.

224            (3) In the case of a change of name, address of legal  
225 residence, polling place address, or party affiliation, the  
226 supervisor shall issue the voter a new voter information card.

227            Section 6. The supervisor must meet the requirements of  
228 section 5 of this act for any elector who registers to vote or  
229 who is issued a new voter information card pursuant to s.  
230 97.071(2) or (3), Florida Statutes, on or after August 1, 2012.

231            Section 7. Subsection (1) of section 97.073, Florida  
232 Statutes, is amended to read:

233            97.073 Disposition of voter registration applications;  
234 cancellation notice.—

235            (1) The supervisor must notify each applicant of the  
236 disposition of the applicant's voter registration application  
237 within 5 business days after voter registration information is  
238 entered into the statewide voter registration system. The notice  
239 must inform the applicant that the application has been  
240 approved, is incomplete, has been denied, or is a duplicate of a  
241 current registration. A voter information card sent to an  
242 applicant constitutes notice of approval of registration. If the  
243 application is incomplete, the supervisor must request that the  
244 applicant supply the missing information using a voter  
245 registration application signed by the applicant. A notice of



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246 denial must inform the applicant of the reason the application  
247 was denied.

248 Section 8. Subsections (1) and (2) of section 97.1031,  
249 Florida Statutes, are amended to read:

250 97.1031 Notice of change of residence, change of name, or  
251 change of party affiliation.—

252 (1) (a) When an elector changes his or her residence  
253 address, the elector must notify the supervisor of elections.  
254 Except as provided in paragraph (b), an address change must be  
255 submitted using a voter registration application.

256 (b) If the address change is within the state and notice is  
257 provided to the supervisor of elections of the county where the  
258 elector has moved, the elector may do so by:

259 1. Contacting the supervisor of elections via telephone or  
260 electronic means, in which case the elector must provide his or  
261 her date of birth; or

262 2. Submitting the change on a voter registration  
263 application or other signed written notice. ~~moves from the~~  
264 ~~address named on that person's voter registration record to~~  
265 ~~another address within the same county, the elector must provide~~  
266 ~~notification of such move to the supervisor of elections of that~~  
267 ~~county. The elector may provide the supervisor a signed, written~~  
268 ~~notice or may notify the supervisor by telephone or electronic~~  
269 ~~means. However, notification of such move other than by signed,~~  
270 ~~written notice must include the elector's date of birth. An~~  
271 ~~elector may also provide notification to other voter~~  
272 ~~registration officials as provided in subsection (2). A voter~~  
273 ~~information card reflecting the new information shall be issued~~  
274 ~~to the elector as provided in subsection (3).~~



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275           (2) When an elector ~~moves from the address named on that~~  
276 ~~person's voter registration record to another address in a~~  
277 ~~different county but within the state, the elector seeks to~~  
278 ~~change party affiliation, or the name of an elector is changed~~  
279 ~~by marriage or other legal process, the elector shall notify his~~  
280 ~~or her supervisor of elections or other provide notice of such~~  
281 ~~change to a voter registration official by using a voter~~  
282 ~~registration application signed written notice that contains the~~  
283 ~~elector's date of birth or voter registration number by the~~  
284 ~~elector. When an elector changes his or her name by marriage or~~  
285 ~~other legal process, the elector shall notify his or her~~  
286 ~~supervisor of elections or other voter registration official by~~  
287 ~~using a signed written notice that contains the elector's date~~  
288 ~~of birth or voter's registration number. A voter information~~  
289 ~~card reflecting the new information shall be issued to the~~  
290 ~~elector as provided in subsection (3).~~

291           Section 9. Subsections (3) and (6) of section 98.075,  
292 Florida Statutes, are amended to read:

293           98.075 Registration records maintenance activities;  
294 ineligibility determinations.—

295           (3) DECEASED PERSONS.—

296           (a)1. The department shall identify those registered voters  
297 who are deceased by comparing information ~~on the lists of~~  
298 ~~deceased persons~~ received from either:

299           a. The Department of Health as provided in s. 98.093; or—

300           b. The United States Social Security Administration,  
301 including, but not limited to, any master death file or index  
302 compiled by the United States Social Security Administration.

303           2. Within 7 days after ~~Upon~~ receipt of such information



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304 through the statewide voter registration system, the supervisor  
305 shall remove the name of the registered voter.

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

310 (6) OTHER BASES FOR INELIGIBILITY.—If the department or  
311 supervisor receives information ~~other than~~ from the sources  
312 other than those identified in subsections (2)-(5) that a  
313 registered voter is ineligible because he or she is deceased,  
314 adjudicated a convicted felon without having had his or her  
315 civil rights restored, adjudicated mentally incapacitated  
316 without having had his or her voting rights restored, does not  
317 meet the age requirement pursuant to s. 97.041, is not a United  
318 States citizen, is a fictitious person, or has listed a  
319 residence that is not his or her legal residence, the supervisor  
320 must ~~shall~~ adhere to the procedures set forth in subsection (7)  
321 prior to the removal of a registered voter's name from the  
322 statewide voter registration system.

323 Section 10. Section 98.093, Florida Statutes, is amended to  
324 read:

325 98.093 Duty of officials to furnish information relating to  
326 ~~lists of~~ deceased persons, persons adjudicated mentally  
327 incapacitated, and persons convicted of a felony.—

328 (1) In order to identify ineligible registered voters and  
329 maintain ~~ensure the maintenance of~~ accurate and current voter  
330 registration records in the statewide voter registration system  
331 pursuant to procedures in s. 98.065 or s. 98.075, it is  
332 necessary for the department and supervisors of elections to



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333 receive or access certain information from state and federal  
334 officials and entities in the format prescribed. ~~The department~~  
335 ~~and supervisors of elections shall use the information provided~~  
336 ~~from the sources in subsection (2) to maintain the voter~~  
337 ~~registration records.~~

338 (2) To the maximum extent feasible, state and local  
339 government agencies shall facilitate provision of information  
340 and access to data to the department, including, but not limited  
341 to, databases that contain reliable criminal records and records  
342 of deceased persons. State and local government agencies that  
343 provide such data shall do so without charge if the direct cost  
344 incurred by those agencies is not significant.

345 (a) The Department of Health shall furnish monthly to the  
346 department a list containing the name, address, date of birth,  
347 date of death, social security number, race, and sex of each  
348 deceased person 17 years of age or older.

349 (b) Each clerk of the circuit court shall furnish monthly  
350 to the department a list of those persons who have been  
351 adjudicated mentally incapacitated with respect to voting during  
352 the preceding calendar month, a list of those persons whose  
353 mental capacity with respect to voting has been restored during  
354 the preceding calendar month, and a list of those persons who  
355 have returned signed jury notices during the preceding months to  
356 the clerk of the circuit court indicating a change of address.  
357 Each list shall include the name, address, date of birth, race,  
358 sex, and, whichever is available, the Florida driver's license  
359 number, Florida identification card number, or social security  
360 number of each such person.

361 (c) Upon receipt of information from the United States



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362 Attorney, listing persons convicted of a felony in federal  
363 court, the department shall use such information to identify  
364 registered voters or applicants for voter registration who may  
365 be potentially ineligible based on information provided in  
366 accordance with s. 98.075.

367 (d) The Department of Law Enforcement shall identify those  
368 persons who have been convicted of a felony who appear in the  
369 voter registration records supplied by the statewide voter  
370 registration system, in a time and manner that enables the  
371 department to meet its obligations under state and federal law.

372 (e) The Florida Parole Commission ~~Board of Executive~~  
373 ~~Clemency~~ shall furnish at least bimonthly ~~monthly~~ to the  
374 department data, including the identity ~~a list~~ of those persons  
375 granted clemency in the preceding month or any updates to prior  
376 records which have occurred in the preceding month. The data  
377 ~~list~~ shall contain the commission's ~~Board of Executive Clemency~~  
378 case number and the person's ~~7~~ name, address, date of birth,  
379 race, gender ~~sex~~, Florida driver's license number, Florida  
380 identification card number, or the last four digits of the  
381 social security number, if available, and references to record  
382 identifiers assigned by the Department of Corrections and the  
383 Department of Law Enforcement, a unique identifier of each  
384 clemency case, and the effective date of clemency of each  
385 person.

386 (f) The Department of Corrections shall identify those  
387 persons who have been convicted of a felony and committed to its  
388 custody or placed on community supervision. The information must  
389 be provided to the department at a time and in manner that  
390 enables the department to identify registered voters who are



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391 convicted felons and to meet its obligations under state and  
392 federal law. ~~furnish monthly to the department a list of those~~  
393 persons transferred to the Department of Corrections in the  
394 preceding month or any updates to prior records which have  
395 occurred in the preceding month. The list shall contain the  
396 name, address, date of birth, race, sex, social security number,  
397 Department of Corrections record identification number, and  
398 associated Department of Law Enforcement felony conviction  
399 record number of each person.

400 (g) The Department of Highway Safety and Motor Vehicles  
401 shall furnish monthly to the department a list of those persons  
402 whose names have been removed from the driver's license database  
403 because they have been licensed in another state. The list shall  
404 contain the name, address, date of birth, sex, social security  
405 number, and driver's license number of each such person.

406 (3) ~~Nothing in~~ This section does not ~~shall~~ limit or  
407 restrict the supervisor in his or her duty to remove the names  
408 of persons from the statewide voter registration system pursuant  
409 to s. 98.075(7) based upon information received from other  
410 sources.

411 Section 11. Effective July 1, 2012, subsections (1) and (2)  
412 of section 98.0981, Florida Statutes, are amended to read:

413 98.0981 Reports; voting history; statewide voter  
414 registration system information; precinct-level election  
415 results; book closing statistics.-

416 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM  
417 INFORMATION.-

418 (a) Within 30 ~~45~~ days after certification by the Elections  
419 Canvassing Commission of a presidential preference primary,



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420 special election, primary election, or a general election,  
421 supervisors of elections shall transmit to the department, in a  
422 uniform electronic format specified in paragraph (d) by the  
423 ~~department,~~ completely updated voting history information for  
424 each qualified voter who voted.

425 (b) After receipt of the information in paragraph (a), the  
426 department shall prepare a report in electronic format which  
427 contains the following information, separately compiled for the  
428 primary and general election for all voters qualified to vote in  
429 either election:

430 1. The unique identifier assigned to each qualified voter  
431 within the statewide voter registration system;

432 2. All information provided by each qualified voter on his  
433 or her voter registration application pursuant to s. 97.052(2),  
434 except that which is confidential or exempt from public records  
435 requirements;

436 3. Each qualified voter's date of registration;

437 4. Each qualified voter's current state representative  
438 district, state senatorial district, and congressional district,  
439 assigned by the supervisor of elections;

440 5. Each qualified voter's current precinct; and

441 6. Voting history as transmitted under paragraph (a) to  
442 include whether the qualified voter voted at a precinct  
443 location, voted during the early voting period, voted by  
444 absentee ballot, attempted to vote by absentee ballot that was  
445 not counted, attempted to vote by provisional ballot that was  
446 not counted, or did not vote.

447 (c) Within 45 ~~60~~ days after certification by the Elections  
448 Canvassing Commission of a presidential preference primary,





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449 special election, primary election, or a general election, the  
450 department shall send to the President of the Senate, the  
451 Speaker of the House of Representatives, the Senate Minority  
452 Leader, and the House Minority Leader a report in electronic  
453 format that includes all information set forth in paragraph (b).

454 (d) File specifications are as follows:

455 1. The file shall contain records designated by the  
456 categories below for all qualified voters who, regardless of the  
457 voter's county of residence or active or inactive registration  
458 status at the book closing for the corresponding election that  
459 the file is being created for:

460 a. Voted a regular ballot at a precinct location.

461 b. Voted at a precinct location using a provisional ballot  
462 that was subsequently counted.

463 c. Voted a regular ballot during the early voting period.

464 d. Voted during the early voting period using a provisional  
465 ballot that was subsequently counted.

466 e. Voted by absentee ballot.

467 f. Attempted to vote by absentee ballot, but the ballot was  
468 not counted.

469 g. Attempted to vote by provisional ballot, but the ballot  
470 was not counted in that election.

471 2. Each file shall be created or converted into a tab-  
472 delimited format.

473 3. File names shall adhere to the following convention:

474 a. Three-character county identifier as established by the  
475 department followed by an underscore.

476 b. Followed by four-character file type identifier of  
477 'VH03' followed by an underscore.



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478 c. Followed by FVRS election ID followed by an underscore.

479 d. Followed by Date Created followed by an underscore.

480 e. Date format is YYYYMMDD.

481 f. Followed by Time Created - HHMMSS.

482 g. Followed by ".txt".

483 4. Each record shall contain the following columns: Record  
484 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote  
485 Date, Vote History Code, Precinct, Congressional District, House  
486 District, Senate District, County Commission District, and  
487 School Board District.

488 (e) Each supervisor of elections shall reconcile, before  
489 submission, the aggregate total of ballots cast in each precinct  
490 as reported in the precinct-level election results to the  
491 aggregate total number of voters with voter history for the  
492 election for each district.

493 (f) Each supervisor of elections shall submit the results  
494 of the data reconciliation as described in paragraph (e) to the  
495 department in an electronic format and give a written  
496 explanation for any precincts where the reconciliation as  
497 described in paragraph (e) results in a discrepancy between the  
498 voter history and the election results.

499 (2) (a) PRECINCT-LEVEL ELECTION RESULTS.—Within ~~25~~ 45 days  
500 after the date of a presidential preference primary election, a  
501 special election, primary election, or a general election, the  
502 supervisors of elections shall collect and submit to the  
503 department precinct-level election results for the election in a  
504 uniform electronic format specified by paragraph (c) ~~the~~  
505 department. The precinct-level election results shall be  
506 compiled separately for the primary or special primary election



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507 that preceded the general or special general election,  
508 respectively. The results shall specifically include for each  
509 precinct the ~~aggregate~~ total of all ballots cast for each  
510 candidate or nominee to fill a national, state, county, or  
511 district office or proposed constitutional amendment, with  
512 subtotals for each candidate and ballot type. "All ballots cast"  
513 means ballots cast by voters who cast a ballot whether at a  
514 precinct location, by absentee ballot including overseas  
515 absentee ballots, during the early voting period, or by  
516 provisional ballot.

517 (b) The department shall make such information available on  
518 a searchable, sortable, and downloadable database via its  
519 website that also includes the file layout and codes. The  
520 database shall be searchable and sortable by county, precinct,  
521 and candidate. The database shall be downloadable in a tab-  
522 delimited format. The database shall be available for download  
523 county-by-county and also as a statewide file. Such report shall  
524 also be made available upon request.

525 (c) The files containing the precinct-level election  
526 results shall be created in accordance with the applicable file  
527 specification:

528 1. The precinct-level results file shall be created or  
529 converted into a tab-delimited text file.

530 2. The row immediately before the first data record shall  
531 contain the column names of the data elements that make up the  
532 data records. There shall be one header record followed by  
533 multiple data records.

534 3. The data records shall include the following columns:  
535 County Name, Election Number, Election Date, Unique Precinct



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536 Identifier, Precinct Polling Location, Total Registered Voters,  
537 Total Registered Republicans, Total Registered Democrats, Total  
538 Registered All Other Parties, Contest Name,  
539 Candidate/Retention/Issue Name, Candidate Ethnicity, Division of  
540 Elections Unique Candidate Identifying Number, Candidate Party,  
541 District, Undervote Total, Overvote Total, Write-in Total, and  
542 Vote Total.

543 Section 12. Subsection (5) of section 99.012, Florida  
544 Statutes, is amended to read:

545 99.012 Restrictions on individuals qualifying for public  
546 office.—

547 (5) A person may not be qualified as a candidate for an  
548 election or appear on the ballot unless the person complies with  
549 this section. The name of any person who does not comply with  
550 this section may be removed from every ballot on which it  
551 appears when ordered by a circuit court upon the petition of an  
552 elector or the Department of State.

553 Section 13. Paragraphs (a) and (b) of subsection (1) of  
554 section 99.021, Florida Statutes, are amended, and subsection  
555 (3) is added to that section, to read:

556 99.021 Form of candidate oath.—

557 (1) (a) 1. Each candidate, whether a party candidate, a  
558 candidate with no party affiliation, or a write-in candidate, in  
559 order to qualify for nomination or election to any office other  
560 than a judicial office as defined in chapter 105 or a federal  
561 office, shall take and subscribe to an oath or affirmation in  
562 writing. A ~~printed~~ copy of the oath or affirmation shall be made  
563 available ~~furnished~~ to the candidate by the officer before whom  
564 such candidate seeks to qualify and shall be substantially in



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565 the following form:

566

567 State of Florida

568 County of....

569 Before me, an officer authorized to administer oaths,  
570 personally appeared ...(please print name as you wish it to  
571 appear on the ballot)..., to me well known, who, being sworn,  
572 says that he or she is a candidate for the office of ....; that  
573 he or she is a qualified elector of .... County, Florida; that  
574 he or she is qualified under the Constitution and the laws of  
575 Florida to hold the office to which he or she desires to be  
576 nominated or elected; ~~that he or she has taken the oath required~~  
577 ~~by ss. 876.05-876.10, Florida Statutes;~~ that he or she has  
578 qualified for no other public office in the state, the term of  
579 which office or any part thereof runs concurrent with that of  
580 the office he or she seeks; ~~and~~ that he or she has resigned from  
581 any office from which he or she is required to resign pursuant  
582 to s. 99.012, Florida Statutes; and that he or she will support  
583 the Constitution of the United States and the Constitution of  
584 the State of Florida.

585 ... (Signature of candidate)...

586 ... (Address)...

587 Sworn to and subscribed before me this .... day of ....,

588 ...(year)..., at .... County, Florida.

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

590

591 2. Each candidate for federal office, whether a party  
592 candidate, a candidate with no party affiliation, or a write-in  
593 candidate, in order to qualify for nomination or election to



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594 office shall take and subscribe to an oath or affirmation in  
595 writing. A ~~printed~~ copy of the oath or affirmation shall be made  
596 available ~~furnished~~ to the candidate by the officer before whom  
597 such candidate seeks to qualify and shall be substantially in  
598 the following form:

599  
600 State of Florida  
601 County of ....

602 Before me, an officer authorized to administer oaths,  
603 personally appeared ...(please print name as you wish it to  
604 appear on the ballot)..., to me well known, who, being sworn,  
605 says that he or she is a candidate for the office of ....; that  
606 he or she is qualified under the Constitution and laws of the  
607 United States to hold the office to which he or she desires to  
608 be nominated or elected; ~~and~~ that he or she has qualified for no  
609 other public office in the state, the term of which office or  
610 any part thereof runs concurrent with that of the office he or  
611 she seeks; and that he or she will support the Constitution of  
612 the United States.

613 ... (Signature of candidate) ...  
614 ... (Address) ...

615  
616 Sworn to and subscribed before me this .... day of ....,  
617 ... (year) ..., at .... County, Florida.  
618 ... (Signature and title of officer administering oath) ...

619  
620 (b) In addition, any person seeking to qualify for  
621 nomination as a candidate of any political party shall, at the  
622 time of subscribing to the oath or affirmation, state in



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623 writing:

624 1. The party of which the person is a member.

625 2. That the person ~~is not a registered member of any other~~  
626 ~~political party and~~ has not been a registered member of  
627 ~~candidate for nomination for~~ any other political party for 365  
628 days before the beginning of qualifying ~~for a period of 6 months~~  
629 preceding the general election for which the person seeks to  
630 qualify.

631 3. That the person has paid the assessment levied against  
632 him or her, if any, as a candidate for said office by the  
633 executive committee of the party of which he or she is a member.

634 (3) This section does not apply to a person who seeks to  
635 qualify for election pursuant to ss. 103.021 and 103.101.

636 Section 14. Subsections (5) and (7) of section 99.061,  
637 Florida Statutes, are amended, and subsection (11) is added to  
638 that section, to read:

639 99.061 Method of qualifying for nomination or election to  
640 federal, state, county, or district office.—

641 (5) At the time of qualifying for office, each candidate  
642 for a constitutional office shall file a full and public  
643 disclosure of financial interests pursuant to s. 8, Art. II of  
644 the State Constitution, which must be verified under oath or  
645 affirmation pursuant to s. 92.525(1)(a), and a candidate for any  
646 other office, including local elective office, shall file a  
647 statement of financial interests pursuant to s. 112.3145.

648 (7)(a) In order for a candidate to be qualified, the  
649 following items must be received by the filing officer by the  
650 end of the qualifying period:

651 1. A properly executed check drawn upon the candidate's



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652 campaign account payable to the person or entity as prescribed  
653 by the filing officer in an amount not less than the fee  
654 required by s. 99.092, unless the candidate obtained the  
655 required number of signatures on petitions ~~or, in lieu thereof,~~  
656 ~~as applicable, the copy of the notice of obtaining ballot~~  
657 ~~position~~ pursuant to s. 99.095. The filing fee for a special  
658 district candidate is not required to be drawn upon the  
659 candidate's campaign account. If a candidate's check is returned  
660 by the bank for any reason, the filing officer shall immediately  
661 notify the candidate and the candidate shall have until, the end  
662 of qualifying ~~notwithstanding, have 48 hours from the time such~~  
663 ~~notification is received, excluding Saturdays, Sundays, and~~  
664 ~~legal holidays,~~ to pay the fee with a cashier's check purchased  
665 from funds of the campaign account. Failure to pay the fee as  
666 provided in this subparagraph shall disqualify the candidate.

667 2. The candidate's oath required by s. 99.021, which must  
668 contain the name of the candidate as it is to appear on the  
669 ballot; the office sought, including the district or group  
670 number if applicable; and the signature of the candidate, which  
671 must be verified under oath or affirmation pursuant to s.  
672 92.525(1)(a) duly acknowledged.

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

675 ~~3.4.~~ If the office sought is partisan, the written  
676 statement of political party affiliation required by s.  
677 99.021(1)(b).

678 ~~4.5.~~ The completed form for the appointment of campaign  
679 treasurer and designation of campaign depository, as required by  
680 s. 106.021.





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681        5.6. The full and public disclosure or statement of  
682 financial interests required by subsection (5). A public officer  
683 who has filed the full and public disclosure or statement of  
684 financial interests with the Commission on Ethics or the  
685 supervisor of elections prior to qualifying for office may file  
686 a copy of that disclosure at the time of qualifying.

687        (b) If the filing officer receives qualifying papers during  
688 the qualifying period prescribed in this section which ~~that~~ do  
689 not include all items as required by paragraph (a) prior to the  
690 last day of qualifying, the filing officer shall make a  
691 reasonable effort to notify the candidate of the missing or  
692 incomplete items and shall inform the candidate that all  
693 required items must be received by the close of qualifying. A  
694 candidate's name as it is to appear on the ballot may not be  
695 changed after the end of qualifying.

696        (c) The filing officer performs a ministerial function in  
697 reviewing qualifying papers. In determining whether a candidate  
698 is qualified, the filing officer shall review the qualifying  
699 papers to determine whether all items required by paragraph (a)  
700 have been properly filed and whether each item is complete on  
701 its face, including whether items that must be verified have  
702 been properly verified pursuant to s. 92.525(1)(a). The filing  
703 officer may not determine whether the contents of the qualifying  
704 papers are accurate.

705        (11) The decision of the filing officer concerning whether  
706 a candidate is qualified is exempt from the provisions of  
707 chapter 120.

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



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710 99.063 Candidates for Governor and Lieutenant Governor.—

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

714 (a) The candidate's oath required by s. 99.021, which must  
715 contain the name of the candidate as it is to appear on the  
716 ballot; the office sought; and the signature of the candidate,  
717 which must be verified under oath or affirmation pursuant to s.  
718 92.525(1) (a) duly acknowledged.

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

721 ~~(b)(e)~~ If the office sought is partisan, the written  
722 statement of political party affiliation required by s.  
723 99.021(1) (b) .

724 ~~(c)(d)~~ The full and public disclosure of financial  
725 interests pursuant to s. 8, Art. II of the State Constitution. A  
726 public officer who has filed the full and public disclosure with  
727 the Commission on Ethics prior to qualifying for office may file  
728 a copy of that disclosure at the time of qualifying.

729 Section 16. Subsection (1) of section 99.092, Florida  
730 Statutes, is amended to read:

731 99.092 Qualifying fee of candidate; notification of  
732 Department of State.—

733 (1) Each person seeking to qualify for nomination or  
734 election to any office, except a person seeking to qualify by  
735 the petition process pursuant to s. 99.095 and except a person  
736 seeking to qualify as a write-in candidate, shall pay a  
737 qualifying fee, which shall consist of a filing fee and election  
738 assessment, to the officer with whom the person qualifies, and



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739 any party assessment levied, and shall attach the original or  
740 signed duplicate of the receipt for his or her party assessment  
741 or pay the same, in accordance with the provisions of s.  
742 103.121, at the time of filing his or her other qualifying  
743 papers. The amount of the filing fee is 3 percent of the annual  
744 salary of the office. The amount of the election assessment is 1  
745 percent of the annual salary of the office sought. The election  
746 assessment shall be ~~deposited into the Clearing Funds Trust Fund~~  
747 ~~and~~ transferred to the Elections Commission Trust Fund ~~within~~  
748 ~~the Department of Legal Affairs~~. The amount of the party  
749 assessment is 2 percent of the annual salary. The annual salary  
750 of the office for purposes of computing the filing fee, election  
751 assessment, and party assessment shall be computed by  
752 multiplying 12 times the monthly salary, excluding any special  
753 qualification pay, authorized for such office as of July 1  
754 immediately preceding the first day of qualifying. No qualifying  
755 fee shall be returned to the candidate unless the candidate  
756 withdraws his or her candidacy before the last date to qualify.  
757 If a candidate dies prior to an election and has not withdrawn  
758 his or her candidacy before the last date to qualify, the  
759 candidate's qualifying fee shall be returned to his or her  
760 designated beneficiary, and, if the filing fee or any portion  
761 thereof has been transferred to the political party of the  
762 candidate, the Secretary of State shall direct the party to  
763 return that portion to the designated beneficiary of the  
764 candidate.

765 Section 17. Subsection (1) of section 99.093, Florida  
766 Statutes, is amended to read:

767 99.093 Municipal candidates; election assessment.—



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768 (1) Each person seeking to qualify for nomination or  
769 election to a municipal office shall pay, at the time of  
770 qualifying for office, an election assessment. The election  
771 assessment shall be an amount equal to 1 percent of the annual  
772 salary of the office sought. Within 30 days after the close of  
773 qualifying, the qualifying officer shall forward all assessments  
774 collected pursuant to this section to the Florida Elections  
775 Commission ~~Department of State~~ for deposit in ~~transfer to~~ the  
776 Elections Commission Trust Fund ~~within the Department of Legal~~  
777 ~~Affairs~~.

778 Section 18. Paragraph (d) is added to subsection (2) of  
779 section 99.095, Florida Statutes, to read:

780 99.095 Petition process in lieu of a qualifying fee and  
781 party assessment.-

782 (2)

783 (d) In a year of apportionment, any candidate for county or  
784 district office seeking ballot position by the petition process  
785 may obtain the required number of signatures from any registered  
786 voter in the respective county, regardless of district  
787 boundaries. The candidate shall obtain at least the number of  
788 signatures equal to 1 percent of the total number of registered  
789 voters, as shown by a compilation by the department for the  
790 immediately preceding general election, divided by the total  
791 number of districts of the office involved.

792 Section 19. Subsections (1), (3), and (5) of section  
793 99.097, Florida Statutes, are amended, and subsection (6) is  
794 added to that section, to read:

795 99.097 Verification of signatures on petitions.-

796 (1) (a) As determined by each supervisor, based upon local



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797 conditions, the checking of names on petitions may be based on  
798 the most inexpensive and administratively feasible of either of  
799 the following methods of verification:

800 1.~~(a)~~ A ~~name-by-name, signature-by-signature~~ check of each  
801 petition the number of authorized signatures on the petitions;  
802 or

803 2.~~(b)~~ A check of a random sample, as provided by the  
804 Department of State, of ~~names and signatures on~~ the petitions.  
805 The sample must be such that a determination can be made as to  
806 whether or not the required number of signatures has ~~have~~ been  
807 obtained with a reliability of at least 99.5 percent.

808 (b) Rules and guidelines for ~~this method of~~ petition  
809 verification shall be adopted ~~promulgated~~ by the Department of  
810 State. Rules and guidelines for a random sample method of  
811 verification, which may include a requirement that petitions  
812 bear an additional number of names and signatures, not to exceed  
813 15 percent of the names and signatures otherwise required. If  
814 the petitions do not meet such criteria or if the petitions are  
815 prescribed by s. 100.371, then the use of the random sample  
816 method of verification is ~~method described in this paragraph~~  
817 ~~shall not be~~ available to supervisors.

818 (3) (a) If all other requirements for the petition are met,  
819 a signature on a petition shall be verified and counted as valid  
820 for a registered voter if, after comparing the signature on the  
821 petition and the signature of the registered voter in the voter  
822 registration system, the supervisor is able to determine that  
823 the petition signer is the same as the registered voter, even if  
824 the name on the petition is not in substantially the same form  
825 as in the voter registration system. A name on a petition, which



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826 ~~name is not in substantially the same form as a name on the~~  
827 ~~voter registration books, shall be counted as a valid signature~~  
828 ~~if, after comparing the signature on the petition with the~~  
829 ~~signature of the alleged signer as shown on the registration~~  
830 ~~books, the supervisor determines that the person signing the~~  
831 ~~petition and the person who registered to vote are one and the~~  
832 ~~same.~~

833       **(b)** In any situation in which this code requires the form  
834 of the petition to be prescribed by the division, no signature  
835 shall be counted toward the number of signatures required unless  
836 it is on a petition form prescribed by the division.

837       **(c)** ~~(b)~~ If a voter signs a petition and lists an address  
838 other than the legal residence where the voter is registered,  
839 the supervisor shall treat the signature as if the voter had  
840 listed the address where the voter is registered.

841       (5) The results of a verification pursuant to subparagraph  
842 (1) (a) 2. ~~paragraph (1) (b)~~ may be contested in the circuit court  
843 by the candidate; an announced opponent; a representative of a  
844 designated political committee; or a person, party, or other  
845 organization submitting the petition. The contestant shall file  
846 a complaint, together with the fees prescribed in chapter 28,  
847 with the clerk of the circuit court in the county in which the  
848 petition is certified or in Leon County if the petition covers  
849 more than one county within 10 days after midnight of the date  
850 the petition is certified; and the complaint shall set forth the  
851 grounds on which the contestant intends to establish his or her  
852 right to require a complete check of the petition names and  
853 signatures pursuant to subparagraph (1) (a) 1. ~~paragraph (1) (a).~~  
854 In the event the court orders a complete check of the petition



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855 and the result is not changed as to the success or lack of  
856 success of the petitioner in obtaining the requisite number of  
857 valid signatures, then such candidate, unless the candidate has  
858 filed the oath stating that he or she is unable to pay such  
859 charges; announced opponent; representative of a designated  
860 political committee; or party, person, or organization  
861 submitting the petition, unless such person or organization has  
862 filed the oath stating inability to pay such charges, shall pay  
863 to the supervisor of elections of each affected county for the  
864 complete check an amount calculated at the rate of 10 cents for  
865 each additional signature checked or the actual cost of checking  
866 such additional signatures, whichever is less.

867 (6) (a) If any person is paid to solicit signatures on a  
868 petition, an undue burden oath may not subsequently be filed in  
869 lieu of paying the fee to have signatures verified for that  
870 petition.

871 (b) If an undue burden oath has been filed and payment is  
872 subsequently made to any person to solicit signatures on a  
873 petition, the undue burden oath is no longer valid and a fee for  
874 all signatures previously submitted to the supervisor of  
875 elections and any that are submitted thereafter shall be paid by  
876 the candidate, person, or organization that submitted the undue  
877 burden oath. If contributions as defined in s. 106.011 are  
878 received, any monetary contributions must first be used to  
879 reimburse the supervisor of elections for any signature  
880 verification fees that were not paid because of the filing of an  
881 undue burden oath.

882 Section 20. Section 100.061, Florida Statutes, is amended  
883 to read:



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884           100.061 Primary election.—In each year in which a general  
885 election is held, a primary election for nomination of  
886 candidates of political parties shall be held on the Tuesday 12  
887 ~~10~~ weeks prior to the general election. The candidate receiving  
888 the highest number of votes cast in each contest in the primary  
889 election shall be declared nominated for such office. If two or  
890 more candidates receive an equal and highest number of votes for  
891 the same office, such candidates shall draw lots to determine  
892 which candidate is nominated.

893           Section 21. Section 100.101, Florida Statutes, is amended  
894 to read:

895           100.101 Special elections and special primary elections.—  
896 ~~Except as provided in s. 100.111(2),~~ A special election or  
897 special primary election shall be held in the following cases:

898           (1) If no person has been elected at a general election to  
899 fill an office which was required to be filled by election at  
900 such general election.

901           (2) If a vacancy occurs in the office of state senator or  
902 member of the state house of representatives.

903           (3) If it is necessary to elect presidential electors, by  
904 reason of the offices of President and Vice President both  
905 having become vacant.

906           (4) If a vacancy occurs in the office of member from  
907 Florida of the House of Representatives of Congress.

908           Section 22. Section 100.111, Florida Statutes, is amended  
909 to read:

910           100.111 Filling vacancy.—

911           (1) (a) If any vacancy occurs in any office which is  
912 required to be filled pursuant to s. 1(f), Art. IV of the State





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913 Constitution and the remainder of the term of such office is 28  
914 months or longer, then at the next general election a person  
915 shall be elected to fill the unexpired portion of such term,  
916 commencing on the first Tuesday after the first Monday following  
917 such general election.

918 (b) If such a vacancy occurs prior to the first day set by  
919 law for qualifying for election to office at such general  
920 election, any person seeking nomination or election to the  
921 unexpired portion of the term shall qualify within the time  
922 prescribed by law for qualifying for other offices to be filled  
923 by election at such general election.

924 (c) If such a vacancy occurs prior to the primary election  
925 but on or after the first day set by law for qualifying, the  
926 Secretary of State shall set dates for qualifying for the  
927 unexpired portion of the term of such office. Any person seeking  
928 nomination or election to the unexpired portion of the term  
929 shall qualify within the time set by the Secretary of State. If  
930 time does not permit party nominations to be made in conjunction  
931 with the primary election, the Governor may call a special  
932 primary election to select party nominees for the unexpired  
933 portion of such term.

934 ~~(2)(a) If, in any state or county office required to be~~  
935 ~~filled by election, a vacancy occurs during an election year by~~  
936 ~~reason of the incumbent having qualified as a candidate for~~  
937 ~~federal office pursuant to s. 99.061, no special election is~~  
938 ~~required. Any person seeking nomination or election to the~~  
939 ~~office so vacated shall qualify within the time prescribed by s.~~  
940 ~~99.061 for qualifying for state or county offices to be filled~~  
941 ~~by election.~~



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942           ~~(b) If such a vacancy occurs in an election year other than~~  
943 ~~the one immediately preceding expiration of the present term,~~  
944 ~~the Secretary of State shall notify the supervisor of elections~~  
945 ~~in each county served by the office that a vacancy has been~~  
946 ~~created. Such notice shall be provided to the supervisor of~~  
947 ~~elections not later than the close of the first day set for~~  
948 ~~qualifying for state or county office. The supervisor shall~~  
949 ~~provide public notice of the vacancy in any manner the Secretary~~  
950 ~~of State deems appropriate.~~

951           (2)~~(3)~~ Whenever there is a vacancy for which a special  
952 election is required pursuant to s. 100.101, the Governor, after  
953 consultation with the Secretary of State, shall fix the dates of  
954 a special primary election and a special election. Nominees of  
955 political parties shall be chosen under the primary laws of this  
956 state in the special primary election to become candidates in  
957 the special election. Prior to setting the special election  
958 dates, the Governor shall consider any upcoming elections in the  
959 jurisdiction where the special election will be held. The dates  
960 fixed by the Governor shall be specific days certain and shall  
961 not be established by the happening of a condition or stated in  
962 the alternative. The dates fixed shall provide a minimum of 2  
963 weeks between each election. In the event a vacancy occurs in  
964 the office of state senator or member of the House of  
965 Representatives when the Legislature is in regular legislative  
966 session, the minimum times prescribed by this subsection may be  
967 waived upon concurrence of the Governor, the Speaker of the  
968 House of Representatives, and the President of the Senate. If a  
969 vacancy occurs in the office of state senator and no session of  
970 the Legislature is scheduled to be held prior to the next



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971 general election, the Governor may fix the dates for the special  
972 primary election and for the special election to coincide with  
973 the dates of the primary election and general election. If a  
974 vacancy in office occurs in any district in the state Senate or  
975 House of Representatives or in any congressional district, and  
976 no session of the Legislature, or session of Congress if the  
977 vacancy is in a congressional district, is scheduled to be held  
978 during the unexpired portion of the term, the Governor is not  
979 required to call a special election to fill such vacancy.

980 (a) The dates for candidates to qualify in such special  
981 election or special primary election shall be fixed by the  
982 Department of State, and candidates shall qualify not later than  
983 noon of the last day so fixed. The dates fixed for qualifying  
984 shall allow a minimum of 14 days between the last day of  
985 qualifying and the special primary election.

986 (b) The filing of campaign expense statements by candidates  
987 in such special elections or special primaries and by committees  
988 making contributions or expenditures to influence the results of  
989 such special primaries or special elections shall be not later  
990 than such dates as shall be fixed by the Department of State,  
991 and in fixing such dates the Department of State shall take into  
992 consideration and be governed by the practical time limitations.

993 (c) The dates for a candidate to qualify by the petition  
994 process pursuant to s. 99.095 in such special primary or special  
995 election shall be fixed by the Department of State. In fixing  
996 such dates the Department of State shall take into consideration  
997 and be governed by the practical time limitations. Any candidate  
998 seeking to qualify by the petition process in a special primary  
999 election shall obtain 25 percent of the signatures required by



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1000 s. 99.095.

1001 (d) The qualifying fees and party assessments of such  
1002 candidates as may qualify shall be the same as collected for the  
1003 same office at the last previous primary for that office. The  
1004 party assessment shall be paid to the appropriate executive  
1005 committee of the political party to which the candidate belongs.

1006 (e) Each county canvassing board shall make as speedy a  
1007 return of the result of such special primary elections and  
1008 special elections as time will permit, and the Elections  
1009 Canvassing Commission likewise shall make as speedy a canvass  
1010 and declaration of the nominees as time will permit.

1011 ~~(3)-(4)~~ (a) In the event that death, resignation, withdrawal,  
1012 or removal, ~~or any other cause or event~~ should cause a party to  
1013 have a vacancy in nomination which leaves no candidate for an  
1014 office from such party, the filing officer before whom the  
1015 candidate qualified ~~Department of State~~ shall notify the chair  
1016 of the ~~appropriate state and, district, or~~ county political  
1017 party executive committee of such party; ~~and:~~

1018 1. If the vacancy in nomination is for a statewide office,  
1019 the state party chair shall, within 5 days, ~~the chair shall~~ call  
1020 a meeting of his or her executive board ~~committee~~ to consider  
1021 designation of a nominee to fill the vacancy.

1022 2. If the vacancy in nomination is for the office of United  
1023 States Representative, state senator, state representative,  
1024 state attorney, or public defender, the state party chair shall  
1025 notify the appropriate county chair or chairs and, within 5  
1026 days, the appropriate county chair or chairs shall call a  
1027 meeting of the members of the executive committee in the  
1028 affected county or counties to consider designation of a nominee



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1029 to fill the vacancy.

1030 3. If the vacancy in nomination is for a county office, the  
1031 state party chair shall notify the appropriate county chair and,  
1032 within 5 days, the appropriate county chair shall call a meeting  
1033 of his or her executive committee to consider designation of a  
1034 nominee to fill the vacancy.

1035  
1036 The name of any person so designated shall be submitted to the  
1037 filing officer before whom the candidate qualified ~~Department of~~  
1038 ~~State~~ within 7 days after notice to the chair in order that the  
1039 person designated may have his or her name on the ballot of the  
1040 ensuing general election. If the name of the new nominee is  
1041 submitted after the certification of results of the preceding  
1042 primary election, however, the ballots shall not be changed and  
1043 the former party nominee's name will appear on the ballot. Any  
1044 ballots cast for the former party nominee will be counted for  
1045 the person designated by the political party to replace the  
1046 former party nominee. If there is no opposition to the party  
1047 nominee, the person designated by the political party to replace  
1048 the former party nominee will be elected to office at the  
1049 general election. ~~For purposes of this paragraph, the term~~  
1050 ~~"district political party executive committee" means the members~~  
1051 ~~of the state executive committee of a political party from those~~  
1052 ~~counties comprising the area involving a district office.~~

1053 (b) When, under the circumstances set forth in the  
1054 preceding paragraph, vacancies in nomination are required to be  
1055 filled by committee nominations, such vacancies shall be filled  
1056 by party rule. In any instance in which a nominee is selected by  
1057 a committee to fill a vacancy in nomination, such nominee shall



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1058 pay the same filing fee and take the same oath as the nominee  
1059 would have taken had he or she regularly qualified for election  
1060 to such office.

1061 (c) Any person who, at the close of qualifying as  
1062 prescribed in ss. 99.061 and 105.031, was qualified for  
1063 nomination or election to or retention in a public office to be  
1064 filled at the ensuing general election or who attempted to  
1065 qualify and failed to qualify is prohibited from qualifying as a  
1066 candidate to fill a vacancy in nomination for any other office  
1067 to be filled at that general election, even if such person has  
1068 withdrawn or been eliminated as a candidate for the original  
1069 office sought. However, this paragraph does not apply to a  
1070 candidate for the office of Lieutenant Governor who applies to  
1071 fill a vacancy in nomination for the office of Governor on the  
1072 same ticket or to a person who has withdrawn or been eliminated  
1073 as a candidate and who is subsequently designated as a candidate  
1074 for Lieutenant Governor under s. 99.063.

1075 (4) A vacancy in nomination is not created if an order of a  
1076 court that has become final determines that a nominee did not  
1077 properly qualify or did not meet the necessary qualifications to  
1078 hold the office for which he or she sought to qualify.

1079 (5) In the event of unforeseeable circumstances not  
1080 contemplated in these general election laws concerning the  
1081 calling and holding of special primary elections and special  
1082 elections resulting from court order or other unpredictable  
1083 circumstances, the Department of State shall have the authority  
1084 to provide for the conduct of orderly elections.

1085 Section 23. Subsections (1), (3), (6), (7), and (8) of  
1086 section 100.371, Florida Statutes, are amended to read:



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1087           100.371 Initiatives; procedure for placement on ballot.-  
1088           (1) Constitutional amendments proposed by initiative shall  
1089 be placed on the ballot for the general election, provided the  
1090 initiative petition has been filed with the Secretary of State  
1091 no later than February 1 of the year the general election is  
1092 held. A petition shall be deemed to be filed with the Secretary  
1093 of State upon the date the secretary determines that valid and  
1094 verified petition forms have been signed by the constitutionally  
1095 required number and distribution of electors under this code,  
1096 ~~subject to the right of revocation established in this section.~~  
1097           (3) An initiative petition form circulated for signature  
1098 may not be bundled with or attached to any other petition. Each  
1099 signature shall be dated when made and shall be valid for a  
1100 period of 2 4 years following such date, provided all other  
1101 requirements of law are met. The sponsor shall submit signed and  
1102 dated forms to the ~~appropriate~~ supervisor of elections for the  
1103 county of residence listed by the person signing the form for  
1104 verification of ~~as to~~ the number of ~~registered electors whose~~  
1105 valid signatures obtained appear thereon. If a signature on a  
1106 petition is from a registered voter in another county, the  
1107 supervisor shall notify the petition sponsor of the misfiled  
1108 petition. The supervisor shall promptly verify the signatures  
1109 within 30 days after ~~of~~ receipt of the petition forms and  
1110 payment of the fee required by s. 99.097. The supervisor shall  
1111 promptly record, in the manner prescribed by the Secretary of  
1112 State, the date each form is received by the supervisor, and the  
1113 date the signature on the form is verified as valid. The  
1114 supervisor may verify that the signature on a form is valid only  
1115 if:



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1116 (a) The form contains the original signature of the  
1117 purported elector.

1118 (b) The purported elector has accurately recorded on the  
1119 form the date on which he or she signed the form.

1120 (c) The form ~~accurately~~ sets forth the purported elector's  
1121 name, ~~street~~ address, city, county, and voter registration  
1122 number or date of birth.

1123 (d) The purported elector is, at the time he or she signs  
1124 the form and at the time the form is verified, a duly qualified  
1125 and registered elector ~~authorized to vote in the~~ state county in  
1126 ~~which his or her signature is submitted~~.

1127

1128 The supervisor shall retain the signature forms for at least 1  
1129 year following the election in which the issue appeared on the  
1130 ballot or until the Division of Elections notifies the  
1131 supervisors of elections that the committee that ~~which~~  
1132 circulated the petition is no longer seeking to obtain ballot  
1133 position.

1134 ~~(6) (a) An elector's signature on a petition form may be~~  
1135 ~~revoked within 150 days of the date on which he or she signed~~  
1136 ~~the petition form by submitting to the appropriate supervisor of~~  
1137 ~~elections a signed petition revocation form.~~

1138 ~~(b) The petition revocation form and the manner in which~~  
1139 ~~signatures are obtained, submitted, and verified shall be~~  
1140 ~~subject to the same relevant requirements and timeframes as the~~  
1141 ~~corresponding petition form and processes under this code and~~  
1142 ~~shall be approved by the Secretary of State before any signature~~  
1143 ~~on a petition revocation form is obtained.~~

1144 ~~(c) In those circumstances in which a petition revocation~~





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1145 ~~form for a corresponding initiative petition has not been~~  
1146 ~~submitted and approved, an elector may complete and submit a~~  
1147 ~~standard petition revocation form directly to the supervisor of~~  
1148 ~~elections. All other requirements and processes apply for the~~  
1149 ~~submission and verification of the signatures as for initiative~~  
1150 ~~petitions.~~

1151 ~~(d) Supervisors of elections shall provide petition~~  
1152 ~~revocation forms to the public at all main and branch offices.~~

1153 ~~(e) The petition revocation form shall be filed with the~~  
1154 ~~supervisor of elections by February 1 preceding the next general~~  
1155 ~~election or, if the initiative amendment is not certified for~~  
1156 ~~ballot position in that election, by February 1 preceding the~~  
1157 ~~next successive general election. The supervisor of elections~~  
1158 ~~shall promptly verify the signature on the petition revocation~~  
1159 ~~form and process such revocation upon payment, in advance, of a~~  
1160 ~~fee of 10 cents or the actual cost of verifying such signature,~~  
1161 ~~whichever is less. The supervisor shall promptly record each~~  
1162 ~~valid and verified signature on a petition revocation form in~~  
1163 ~~the manner prescribed by the Secretary of State.~~

1164 ~~(f) The division shall adopt by rule the petition~~  
1165 ~~revocation forms to be used under this subsection.~~

1166 ~~(6)-(7)~~ (6) The Department of State may adopt rules in  
1167 accordance with s. 120.54 to carry out the provisions of  
1168 subsections (1)-(5) ~~(1)-(6)~~.

1169 ~~(7)-(8)~~ (7) No provision of this code shall be deemed to  
1170 prohibit a private person exercising lawful control over  
1171 privately owned property, including property held open to the  
1172 public for the purposes of a commercial enterprise, from  
1173 excluding from such property persons seeking to engage in



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1174 activity supporting or opposing initiative amendments.

1175 Section 24. Effective July 1, 2012, subsections (3) and (4)  
1176 of section 101.001, Florida Statutes, are amended to read:

1177 101.001 Precincts and polling places; boundaries.—

1178 (3) (a) Each supervisor of elections shall maintain a  
1179 suitable map drawn to a scale no smaller than 3 miles to the  
1180 inch and clearly delineating all major observable features such  
1181 as roads, streams, and railway lines and showing the current  
1182 geographical boundaries of each precinct, representative  
1183 district, and senatorial district, and other type of district in  
1184 the county subject to the elections process in this code.

1185 (b) The supervisor shall provide to the department data on  
1186 all precincts in the county associated with the most recent  
1187 decennial census blocks within each precinct.

1188 (c) The department shall maintain a searchable database  
1189 that contains the precincts and the corresponding most recent  
1190 decennial census blocks within the precincts for each county,  
1191 including a historical file that allows the census blocks to be  
1192 traced through the prior decade.

1193 (d) ~~(b)~~ The supervisor of elections shall notify the  
1194 Secretary of State in writing within 10 ~~30~~ days after any  
1195 reorganization of precincts and shall furnish a copy of the map  
1196 showing the current geographical boundaries and designation of  
1197 each new precinct. However, if precincts are composed of whole  
1198 census blocks, the supervisor may furnish, in lieu of a copy of  
1199 the map, a list, in an electronic format prescribed by the  
1200 Department of State, associating each census block in the county  
1201 with its precinct.

1202 (e) ~~(e)~~ Any precinct established or altered under the



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1203 provisions of this section shall consist of areas bounded on all  
1204 sides only by census block boundaries from the most recent  
1205 United States Census. If the census block boundaries split or  
1206 conflict with another political boundary listed below, the  
1207 boundary listed below may be used:

1208 ~~1. Census block boundaries from the most recent United~~  
1209 ~~States Census;~~

1210 ~~1.2.~~ Governmental unit boundaries reported in the most  
1211 recent Boundary and Annexation Survey published by the United  
1212 States Census Bureau;

1213 ~~2.3.~~ Visible features that are readily distinguishable upon  
1214 the ground, such as streets, railroads, tracks, streams, and  
1215 lakes, and that are indicated upon current census maps, official  
1216 Department of Transportation maps, official municipal maps,  
1217 official county maps, or a combination of such maps;

1218 ~~3.4.~~ Boundaries of public parks, public school grounds, or  
1219 churches; or

1220 ~~4.5.~~ Boundaries of counties, incorporated municipalities,  
1221 or other political subdivisions that meet criteria established  
1222 by the United States Census Bureau for block boundaries.

1223 ~~(d) Until July 1, 2012, a supervisor may apply for and~~  
1224 ~~obtain from the Secretary of State a waiver of the requirement~~  
1225 ~~in paragraph (c).~~

1226 (4) (a) Within 10 days after there is any change in the  
1227 division, number, or boundaries of the precincts, or the  
1228 location of the polling places, the supervisor of elections  
1229 shall make in writing an accurate description of any new or  
1230 altered precincts, setting forth the boundary lines and shall  
1231 identify the location of each new or altered polling place. A



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1232 copy of the document describing such changes shall be posted at  
1233 the supervisor's office.

1234 (b) Any changes in the county precinct data shall be  
1235 provided to the department within 10 days after a change.

1236 (c) Precinct data shall include all precincts for which  
1237 precinct-level election results and voting history results are  
1238 reported.

1239 Section 25. Section 101.043, Florida Statutes, is amended  
1240 to read:

1241 101.043 Identification required at polls.—

1242 (1) (a) The precinct register, as prescribed in s. 98.461,  
1243 shall be used at the polls for the purpose of identifying the  
1244 elector at the polls before ~~prior to~~ allowing him or her to  
1245 vote. The clerk or inspector shall require each elector, upon  
1246 entering the polling place, to present one of the following  
1247 current and valid picture identifications:

1248 1. ~~(a)~~ Florida driver's license.

1249 2. ~~(b)~~ Florida identification card issued by the Department  
1250 of Highway Safety and Motor Vehicles.

1251 3. ~~(c)~~ United States passport.

1252 4. ~~(d)~~ Debit or credit card.

1253 5. ~~(e)~~ Military identification.

1254 6. ~~(f)~~ Student identification.

1255 7. ~~(g)~~ Retirement center identification.

1256 8. ~~(h)~~ Neighborhood association identification.

1257 9. ~~(i)~~ Public assistance identification.

1258 (b) If the picture identification does not contain the  
1259 signature of the elector ~~voter~~, an additional identification  
1260 that provides the elector's ~~voter's~~ signature shall be required.



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1261 The address appearing on the identification presented by the  
1262 elector may not be used as the basis to confirm an elector's  
1263 legal residence or otherwise challenge an elector's legal  
1264 residence. The elector shall sign his or her name in the space  
1265 provided on the precinct register or on an electronic device  
1266 provided for recording the elector's ~~voter's~~ signature. The  
1267 clerk or inspector shall compare the signature with that on the  
1268 identification provided by the elector and enter his or her  
1269 initials in the space provided on the precinct register or on an  
1270 electronic device provided for that purpose and allow the  
1271 elector to vote if the clerk or inspector is satisfied as to the  
1272 identity of the elector.

1273 (c) Once a person has presented his or her picture  
1274 identification to the clerk or inspector, the person may not be  
1275 asked to provide additional information or recite his or her  
1276 home address.

1277 (2) If the elector fails to furnish the required  
1278 identification, the elector shall be allowed to vote a  
1279 provisional ballot. The canvassing board shall determine the  
1280 validity of the ballot pursuant to s. 101.048(2).

1281 Section 26. Section 101.045, Florida Statutes, is amended  
1282 to read:

1283 101.045 Electors must be registered in precinct; provisions  
1284 for change of residence or name.-

1285 (1) A ~~No~~ person is not ~~shall be~~ permitted to vote in any  
1286 election precinct or district other than the one in which the  
1287 person has his or her legal residence and in which the person is  
1288 registered. However, a person temporarily residing outside the  
1289 county shall be registered in the precinct in which the main



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1290 office of the supervisor, as designated by the supervisor, is  
1291 located when the person has no permanent address in the county  
1292 and it is the person's intention to remain a resident of Florida  
1293 and of the county in which he or she is registered to vote. Such  
1294 persons who are registered in the precinct in which the main  
1295 office of the supervisor, as designated by the supervisor, is  
1296 located and who are residing outside the county with no  
1297 permanent address in the county shall not be registered electors  
1298 of a municipality and therefore shall not be permitted to vote  
1299 in any municipal election.

1300 (2) (a) An elector who moves from the precinct in which the  
1301 elector is registered may be permitted to vote in the precinct  
1302 to which he or she has moved his or her legal residence, if the  
1303 change of residence is within the same county and the ~~provided~~  
1304 ~~such~~ elector completes an affirmation in substantially the  
1305 following form:

1306 Change of Legal Residence of Registered  
1307 Voter

1308 Under penalties for false swearing, I, ...(Name of voter)...,  
1309 swear (or affirm) that the former address of my legal residence  
1310 was ...(Address of legal residence)... in the municipality of  
1311 ....., in .... County, Florida, and I was registered to vote in  
1312 the .... precinct of .... County, Florida; that I have not voted  
1313 in the precinct of my former registration in this election; that  
1314 I now reside at ...(Address of legal residence)... in the  
1315 Municipality of ....., in .... County, Florida, and am therefore  
1316 eligible to vote in the .... precinct of .... County, Florida;  
1317 and I further swear (or affirm) that I am otherwise legally  
1318 registered and entitled to vote.





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1348 and I further swear (or affirm) that I am otherwise legally  
1349 registered and entitled to vote.

1350 ... (Signature of voter whose name has changed) ...

1351 (d) ~~(e)~~ Instead of the affirmation contained in paragraph  
1352 (a) or paragraph (c) ~~(b)~~, an elector may complete a voter  
1353 registration application that indicates the change of name or  
1354 change of address of legal residence.

1355 (e) ~~(d)~~ Such affirmation or application, when completed and  
1356 presented at the precinct in which such elector is entitled to  
1357 vote, and upon verification of the elector's registration, shall  
1358 entitle such elector to vote as provided in this subsection. If  
1359 the elector's eligibility to vote cannot be determined, he or  
1360 she shall be entitled to vote a provisional ballot, subject to  
1361 the requirements and procedures in s. 101.048. Upon receipt of  
1362 an affirmation or application certifying a change in address of  
1363 legal residence or name, the supervisor shall as soon as  
1364 practicable make the necessary changes in the statewide voter  
1365 registration system to indicate the change in address of legal  
1366 residence or name of such elector.

1367 Section 27. Subsection (2) of section 101.131, Florida  
1368 Statutes, is amended, and subsections (4) and (5) are added to  
1369 that section, to read:

1370 101.131 Watchers at polls.—

1371 (2) Each party, each political committee, and each  
1372 candidate requesting to have poll watchers shall designate, in  
1373 writing to the supervisors of elections, on a form prescribed by  
1374 the division, before ~~prior to~~ noon of the second Tuesday  
1375 preceding the election poll watchers for each polling room on  
1376 election day. Designations of poll watchers for early voting





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1377 areas shall be submitted in writing to the supervisor of  
1378 elections, on a form prescribed by the division, before noon at  
1379 least 14 days before early voting begins. The poll watchers for  
1380 each polling rooms room shall be approved by the supervisor of  
1381 elections on or before the Tuesday before the election. Poll  
1382 watchers for early voting areas shall be approved by the  
1383 supervisor of elections no later than 7 days before early voting  
1384 begins. The supervisor shall furnish to each election board a  
1385 list of the poll watchers designated and approved for such  
1386 polling rooms room or early voting areas area. Designation of  
1387 poll watchers shall be made by the chair of the county executive  
1388 committee of a political party, the chair of a political  
1389 committee, or the candidate requesting to have poll watchers.

1390 (4) All poll watchers shall be allowed to enter and watch  
1391 polls in all polling rooms and early voting areas within the  
1392 county in which they have been designated if the number of poll  
1393 watchers at any particular polling place does not exceed the  
1394 number provided in this section.

1395 (5) The supervisor of elections shall provide to each  
1396 designated poll watcher, no later than 7 days before early  
1397 voting begins, a poll watcher identification badge that  
1398 identifies the poll watcher by name. Each poll watcher must wear  
1399 his or her identification badge while in the polling room or  
1400 early voting area.

1401 Section 28. Subsections (1), (2), and (3) of section  
1402 101.151, Florida Statutes, are amended to read:

1403 101.151 Specifications for ballots.—

1404 (1) (a) Marksense ballots shall be printed on paper of such  
1405 thickness that the printing cannot be distinguished from the



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1406 back and shall meet the specifications of the voting system that  
1407 will be used to tabulate the ballots.

1408 (b) Early voting sites may employ a ballot-on-demand  
1409 production system to print individual marksense ballots,  
1410 including provisional ballots, for eligible electors pursuant to  
1411 s. 101.657. Ballot-on-demand technology may be used to produce  
1412 marksense absentee and election-day ballots. ~~Not later than 30~~  
1413 ~~days before an election, the Secretary of State may also~~  
1414 ~~authorize in writing the use of ballot-on-demand technology for~~  
1415 ~~the production of election-day ballots.~~

1416 (2) (a) The ballot shall have the following office titles  
1417 ~~headings~~ under which shall appear ~~the names of the offices and~~  
1418 the names of the candidates for the respective offices in the  
1419 following order:

1420 1. The office titles of heading "President and Vice  
1421 President" and thereunder the names of the candidates for  
1422 President and Vice President of the United States nominated by  
1423 the political party that received the highest vote for Governor  
1424 in the last general election of the Governor in this state. Then  
1425 shall appear the names of other candidates for President and  
1426 Vice President of the United States who have been properly  
1427 nominated.

1428 2. The office titles ~~Then shall follow the heading~~  
1429 ~~"Congressional"~~ and thereunder the offices of United States  
1430 Senator and Representative in Congress.†

1431 3. The office titles ~~then the heading "State" and~~  
1432 ~~thereunder the offices~~ of Governor and Lieutenant Governor;†  
1433 Attorney General;† Chief Financial Officer;† Commissioner of  
1434 Agriculture;† State Attorney, with the applicable judicial



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1435 circuit; and Public Defender, with the applicable judicial  
1436 circuit.

1437 ~~4. together with the names of the candidates for each~~  
1438 ~~office and the title of the office which they seek; then the~~  
1439 ~~heading "Legislative" and thereunder The office titles offices~~  
1440 ~~of State Senator and State Representative, with the applicable~~  
1441 ~~district for the office printed beneath.; then the heading~~  
1442 ~~"County" and thereunder~~

1443 5. The office titles of Clerk of the Circuit Court, or  
1444 Clerk of the Circuit Court and Comptroller (whichever is  
1445 applicable and when authorized by law), Clerk of the County  
1446 Court (when authorized by law), Sheriff, Property Appraiser, Tax  
1447 Collector, District Superintendent of Schools, and Supervisor of  
1448 Elections.

1449 6. The office titles ~~Thereafter follows: members of the~~  
1450 ~~Board of County Commissioners, with the applicable district~~  
1451 ~~printed beneath each office, and such other county and district~~  
1452 ~~offices as are involved in the election, in the order fixed by~~  
1453 ~~the Department of State, followed, in the year of their~~  
1454 ~~election, by "Party Offices," and thereunder the offices of~~  
1455 ~~state and county party executive committee members.~~

1456 (b) In a general election, in addition to the names printed  
1457 on the ballot, a blank space shall be provided under each  
1458 ~~heading for an~~ office for which a write-in candidate has  
1459 qualified. With respect to write-in candidates, if two or more  
1460 candidates are seeking election to one office, only one blank  
1461 space shall be provided.

1462 (c) ~~(b)~~ When more than one candidate is nominated for  
1463 office, the candidates for such office shall qualify and run in



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1464 a group or district, and the group or district number shall be  
1465 printed beneath the name of the office. Each nominee of a  
1466 political party chosen in a primary shall appear on the general  
1467 election ballot in the same numbered group or district as on the  
1468 primary election ballot.

1469 (d)~~(e)~~ If in any election all the offices as set forth in  
1470 paragraph (a) are not involved, those offices not to be filled  
1471 shall be omitted and the remaining offices shall be arranged on  
1472 the ballot in the order named.

1473 (3) (a) The names of the candidates of the party that  
1474 received the highest number of votes for Governor in the last  
1475 election in which a Governor was elected shall be placed first  
1476 ~~under the heading~~ for each office on the general election  
1477 ballot, together with an appropriate abbreviation of the party  
1478 name; the names of the candidates of the party that received the  
1479 second highest vote for Governor shall be placed second ~~under~~  
1480 ~~the heading~~ for each office, together with an appropriate  
1481 abbreviation of the party name.

1482 (b) Minor political party candidates ~~and candidates with no~~  
1483 ~~party affiliation~~ shall have their names appear on the general  
1484 election ballot following the names of recognized political  
1485 parties, in the same order as they were qualified, certified  
1486 followed by the names of candidates with no party affiliation,  
1487 in the order as they were qualified.

1488 Section 29. Section 101.161, Florida Statutes, is amended  
1489 to read:

1490 101.161 Referenda; ballots.—

1491 (1) Whenever a constitutional amendment or other public  
1492 measure is submitted to the vote of the people, a ballot summary



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1493 ~~the substance~~ of such amendment or other public measure shall be  
1494 printed in clear and unambiguous language on the ballot after  
1495 the list of candidates, followed by the word "yes" and also by  
1496 the word "no," and shall be styled in such a manner that a "yes"  
1497 vote will indicate approval of the proposal and a "no" vote will  
1498 indicate rejection. The ballot summary ~~wording of the substance~~  
1499 of the amendment or other public measure and the ballot title to  
1500 appear on the ballot shall be embodied in the ~~joint resolution,~~  
1501 constitutional revision commission proposal, constitutional  
1502 convention proposal, taxation and budget reform commission  
1503 proposal, or enabling resolution or ordinance. The ballot  
1504 summary ~~Except for amendments and ballot language proposed by~~  
1505 ~~joint resolution, the substance~~ of the amendment or other public  
1506 measure shall be an explanatory statement, not exceeding 75  
1507 words in length, of the chief purpose of the measure. In  
1508 addition, for every amendment proposed by initiative, the ballot  
1509 shall include, following the ballot summary, a separate  
1510 financial impact statement concerning the measure prepared by  
1511 the Financial Impact Estimating Conference in accordance with s.  
1512 100.371(5). The ballot title shall consist of a caption, not  
1513 exceeding 15 words in length, by which the measure is commonly  
1514 referred to or spoken of. This subsection does not apply to  
1515 constitutional amendments or revisions proposed by joint  
1516 resolution.

1517 (2) The ballot summary ~~substance~~ and ballot title of a  
1518 constitutional amendment proposed by initiative shall be  
1519 prepared by the sponsor and approved by the Secretary of State  
1520 in accordance with rules adopted pursuant to s. 120.54. The  
1521 Department of State shall give each proposed constitutional



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1522 amendment a designating number for convenient reference. This  
1523 number designation shall appear on the ballot. Designating  
1524 numbers shall be assigned in the order of filing or  
1525 certification and in accordance with rules adopted by the  
1526 Department of State. The Department of State shall furnish the  
1527 designating number, the ballot title, and, unless otherwise  
1528 specified in a joint resolution, the ballot summary the  
1529 substance of each amendment to the supervisor of elections of  
1530 each county in which such amendment is to be voted on.

1531 (3) (a) Each joint resolution that proposes a constitutional  
1532 amendment or revision shall include one or more ballot  
1533 statements set forth in order of priority. Each ballot statement  
1534 shall consist of a ballot title, by which the measure is  
1535 commonly referred to or spoken of, not exceeding 15 words in  
1536 length, and either a ballot summary that describes the chief  
1537 purpose of the amendment or revision in clear and unambiguous  
1538 language, or the full text of the amendment or revision. The  
1539 Department of State shall furnish a designating number pursuant  
1540 to subsection (2) and the appropriate ballot statement to the  
1541 supervisor of elections of each county. The ballot statement  
1542 shall be printed on the ballot after the list of candidates,  
1543 followed by the word "yes" and also by the word "no," and shall  
1544 be styled in such a manner that a "yes" vote will indicate  
1545 approval of the amendment or revision and a "no" vote will  
1546 indicate rejection.

1547 (b)1. Any action for a judicial determination that one or  
1548 more ballot statements embodied in a joint resolution are  
1549 defective must be commenced by filing a complaint or petition  
1550 with the appropriate court within 30 days after the joint



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1551 resolution is filed with the Secretary of State. The complaint  
1552 or petition shall assert all grounds for challenge to each  
1553 ballot statement. Any ground not asserted within 30 days after  
1554 the joint resolution is filed with the Secretary of State is  
1555 waived.

1556 2. The court, including any appellate court, shall accord  
1557 an action described in subparagraph 1. priority over other  
1558 pending cases and render a decision as expeditiously as  
1559 possible. If the court finds that all ballot statements embodied  
1560 in a joint resolution are defective and further appeals are  
1561 declined, abandoned, or exhausted, unless otherwise provided in  
1562 the joint resolution, the Attorney General shall, within 10  
1563 days, prepare and submit to the Department of State a revised  
1564 ballot title or ballot summary that corrects the deficiencies  
1565 identified by the court, and the Department of State shall  
1566 furnish a designating number and the revised ballot title or  
1567 ballot summary to the supervisor of elections of each county for  
1568 placement on the ballot. The court shall retain jurisdiction  
1569 over challenges to a revised ballot title or ballot summary  
1570 prepared by the Attorney General, and any challenge to a revised  
1571 ballot title or ballot summary must be filed within 10 days  
1572 after a revised ballot title or ballot summary is submitted to  
1573 the Department of State.

1574 3. A ballot statement that consists of the full text of an  
1575 amendment or revision shall be presumed to be a clear and  
1576 unambiguous statement of the substance and effect of the  
1577 amendment or revision, providing fair notice to the electors of  
1578 the content of the amendment or revision and sufficiently  
1579 advising electors of the issue upon which they are to vote.



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1580            ~~(4)~~(3)(a) For any general election in which the Secretary  
1581 of State, for any circuit, or the supervisor of elections, for  
1582 any county, has certified the ballot position for an initiative  
1583 to change the method of selection of judges, the ballot for any  
1584 circuit must contain the statement in paragraph (b) or paragraph  
1585 (c) and the ballot for any county must contain the statement in  
1586 paragraph (d) or paragraph (e).

1587            (b) In any circuit where the initiative is to change the  
1588 selection of circuit court judges to selection by merit  
1589 selection and retention, the ballot shall state: "Shall the  
1590 method of selecting circuit court judges in the ...(number of  
1591 the circuit)... judicial circuit be changed from election by a  
1592 vote of the people to selection by the judicial nominating  
1593 commission and appointment by the Governor with subsequent terms  
1594 determined by a retention vote of the people?" This statement  
1595 must be followed by the word "yes" and also by the word "no."

1596            (c) In any circuit where the initiative is to change the  
1597 selection of circuit court judges to election by the voters, the  
1598 ballot shall state: "Shall the method of selecting circuit court  
1599 judges in the ...(number of the circuit)... judicial circuit be  
1600 changed from selection by the judicial nominating commission and  
1601 appointment by the Governor with subsequent terms determined by  
1602 a retention vote of the people to election by a vote of the  
1603 people?" This statement must be followed by the word "yes" and  
1604 also by the word "no."

1605            (d) In any county where the initiative is to change the  
1606 selection of county court judges to merit selection and  
1607 retention, the ballot shall state: "Shall the method of  
1608 selecting county court judges in ...(name of county)... be





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1609 changed from election by a vote of the people to selection by  
1610 the judicial nominating commission and appointment by the  
1611 Governor with subsequent terms determined by a retention vote of  
1612 the people?" This statement must be followed by the word "yes"  
1613 and also by the word "no."

1614 (e) In any county where the initiative is to change the  
1615 selection of county court judges to election by the voters, the  
1616 ballot shall state: "Shall the method of selecting county court  
1617 judges in ...(name of the county)... be changed from selection  
1618 by the judicial nominating commission and appointment by the  
1619 Governor with subsequent terms determined by a retention vote of  
1620 the people to election by a vote of the people?" This statement  
1621 must be followed by the word "yes" and also by the word "no."

1622 Section 30. The amendment of section 101.161, Florida  
1623 Statutes, made by this act applies retroactively to all joint  
1624 resolutions adopted by the Legislature during the 2011 Regular  
1625 Session, except that any legal action challenging a ballot title  
1626 or ballot summary embodied in such joint resolution or  
1627 challenging placement on the ballot of the full text of the  
1628 proposed amendment or revision to the State Constitution as  
1629 specified in such joint resolution must be commenced within 30  
1630 days after the effective date of this act or within 30 days  
1631 after the joint resolution to which a challenge relates is filed  
1632 with the Secretary of State, whichever occurs later.

1633 Section 31. Paragraph (a) of subsection (2) of section  
1634 101.5605, Florida Statutes, is amended to read:

1635 101.5605 Examination and approval of equipment.—

1636 (2) (a) Any person owning or interested in an electronic or  
1637 electromechanical voting system may submit it to the Department



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1638 of State for examination. The vote counting segment shall be  
1639 certified after a satisfactory evaluation testing has been  
1640 performed according to the standards adopted under s. 101.015(1)  
1641 ~~electronic industry standards~~. This testing shall include, but  
1642 is not limited to, testing of all software required for the  
1643 voting system's operation; the ballot reader; the rote  
1644 processor, especially in its logic and memory components; the  
1645 digital printer; the fail-safe operations; the counting center  
1646 environmental requirements; and the equipment reliability  
1647 estimate. For the purpose of assisting in examining the system,  
1648 the department shall employ or contract for services of at least  
1649 one individual who is expert in one or more fields of data  
1650 processing, mechanical engineering, and public administration  
1651 and shall require from the individual a written report of his or  
1652 her examination.

1653 Section 32. Subsection (11) of section 101.5606, Florida  
1654 Statutes, is amended to read

1655 101.5606 Requirements for approval of systems.—No  
1656 electronic or electromechanical voting system shall be approved  
1657 by the Department of State unless it is so constructed that:

1658 (11) It is capable of automatically producing precinct  
1659 totals in printed, ~~marked, or punched form, or a combination~~  
1660 ~~thereof~~.

1661 Section 33. Paragraph (a) of subsection (4) of section  
1662 101.5612, Florida Statutes, is amended to read:

1663 101.5612 Testing of tabulating equipment.—

1664 (4) (a) 1. For electronic or electromechanical voting systems  
1665 configured to include electronic or electromechanical tabulation  
1666 devices which are distributed to the precincts, all or a sample



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1667 of the devices to be used in the election shall be publicly  
1668 tested. If a sample is to be tested, the sample shall consist of  
1669 a random selection of at least 5 percent or 10 of the devices  
1670 for an optical scan system ~~or 2 percent of the devices for a~~  
1671 ~~touchscreen system or 10 of the devices for either system, as~~  
1672 ~~applicable~~, whichever is greater. For touchscreen systems used  
1673 for voters having a disability, a sample of at least 2 percent  
1674 of the devices must be tested. The test shall be conducted by  
1675 processing a group of ballots, causing the device to output  
1676 results for the ballots processed, and comparing the output of  
1677 results to the results expected for the ballots processed. The  
1678 group of ballots shall be produced so as to record a  
1679 predetermined number of valid votes for each candidate and on  
1680 each measure and to include for each office one or more ballots  
1681 which have activated voting positions in excess of the number  
1682 allowed by law in order to test the ability of the tabulating  
1683 device to reject such votes.

1684         2. If any tested tabulating device is found to have an  
1685 error in tabulation, it shall be deemed unsatisfactory. For each  
1686 device deemed unsatisfactory, the canvassing board shall take  
1687 steps to determine the cause of the error, shall attempt to  
1688 identify and test other devices that could reasonably be  
1689 expected to have the same error, and shall test a number of  
1690 additional devices sufficient to determine that all devices are  
1691 satisfactory. Upon deeming any device unsatisfactory, the  
1692 canvassing board may require all devices to be tested or may  
1693 declare that all devices are unsatisfactory.

1694         3. If the operation or output of any tested tabulation  
1695 device, such as spelling or the order of candidates on a report,



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1696 is in error, such problem shall be reported to the canvassing  
1697 board. The canvassing board shall then determine if the reported  
1698 problem warrants its deeming the device unsatisfactory.

1699 Section 34. Subsection (4) of section 101.5614, Florida  
1700 Statutes, is amended to read:

1701 101.5614 Canvass of returns.—

1702 ~~(4) If ballot cards are used, and separate write-in ballots~~  
1703 ~~or envelopes for casting write-in votes are used, write-in~~  
1704 ~~ballots or the envelopes on which write-in ballots have been~~  
1705 ~~cast shall be serially numbered, starting with the number one,~~  
1706 ~~and the same number shall be placed on the ballot card of the~~  
1707 ~~voter. This process may be completed at either the precinct by~~  
1708 ~~the election board or at the central counting location. For each~~  
1709 ~~ballot or ballot image and ballot envelope on which write-in~~  
1710 ~~votes have been cast, the canvassing board shall compare the~~  
1711 ~~write-in votes with the votes cast on the ballot card; if the~~  
1712 ~~total number of votes for any office exceeds the number allowed~~  
1713 ~~by law, a notation to that effect, specifying the office~~  
1714 ~~involved, shall be entered on the back of the ballot card or in~~  
1715 ~~a margin if voting areas are printed on both sides of the ballot~~  
1716 ~~card. such votes shall not be counted. All valid votes shall be~~  
1717 tallied by the canvassing board.

1718 Section 35. Subsection (6) is added to section 101.591,  
1719 Florida Statutes, to read:

1720 101.591 Voting system audit.—

1721 (6) If a manual recount is undertaken pursuant to s.  
1722 102.166, the canvassing board is not required to perform the  
1723 audit provided for in this section.

1724 Section 36. Paragraphs (a) and (b) of subsection (1) and



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1725 subsections (3) and (4) of section 101.62, Florida Statutes, are  
1726 amended to read:

1727 101.62 Request for absentee ballots.—

1728 (1) (a) The supervisor shall accept a request for an  
1729 absentee ballot from an elector in person or in writing. One  
1730 request shall be deemed sufficient to receive an absentee ballot  
1731 for all elections through the end of the calendar year of the  
1732 second ensuing ~~next~~ regularly scheduled general election, unless  
1733 the elector or the elector's designee indicates at the time the  
1734 request is made the elections for which the elector desires to  
1735 receive an absentee ballot. Such request may be considered  
1736 canceled when any first-class mail sent by the supervisor to the  
1737 elector is returned as undeliverable.

1738 (b) The supervisor may accept a written or telephonic  
1739 request for an absentee ballot from the elector, or, if directly  
1740 instructed by the elector, a member of the elector's immediate  
1741 family, or the elector's legal guardian. For purposes of this  
1742 section, the term "immediate family" has the same meaning as  
1743 specified in paragraph (4) (c) ~~(4) (b)~~. The person making the  
1744 request must disclose:

- 1745 1. The name of the elector for whom the ballot is  
1746 requested.
- 1747 2. The elector's address.
- 1748 3. The elector's date of birth.
- 1749 4. The requester's name.
- 1750 5. The requester's address.
- 1751 6. The requester's driver's license number, if available.
- 1752 7. The requester's relationship to the elector.
- 1753 8. The requester's signature (written requests only).



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1754 (3) For each request for an absentee ballot received, the  
1755 supervisor shall record the date the request was made, the date  
1756 the absentee ballot was delivered to the voter or the voter's  
1757 designee or the date the absentee ballot was delivered to the  
1758 post office or other carrier, the date the ballot was received  
1759 by the supervisor, and such other information he or she may deem  
1760 necessary. This information shall be provided in electronic  
1761 format as provided by rule adopted by the division. The  
1762 information shall be updated and made available no later than 8  
1763 a.m. noon of each day, including weekends, beginning 60 days  
1764 before the primary until 15 days after the general election and  
1765 shall be contemporaneously provided to the division. This  
1766 information shall be confidential and exempt from the provisions  
1767 of s. 119.07(1) and shall be made available to or reproduced  
1768 only for the voter requesting the ballot, a canvassing board, an  
1769 election official, a political party or official thereof, a  
1770 candidate who has filed qualification papers and is opposed in  
1771 an upcoming election, and registered political committees or  
1772 registered committees of continuous existence, for political  
1773 purposes only.

1774 (4) (a) No later than 45 days before each presidential  
1775 preference primary election, primary election, and general  
1776 election, the supervisor of elections shall send an absentee  
1777 ballot as provided in subparagraph (c)2. ~~(b)2.~~ to each absent  
1778 uniformed services voter and to each overseas voter who has  
1779 requested an absentee ballot.

1780 (b) The supervisor of elections shall mail an absentee  
1781 ballot to each absent qualified voter, other than those listed  
1782 in paragraph (a), who has requested such a ballot, between the



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1783 35th and 28th days before the presidential preference primary  
1784 election, primary election, and general election. Except as  
1785 otherwise provided in subsection (2) and after the period  
1786 described in this paragraph, the supervisor shall mail absentee  
1787 ballots within 2 business days after receiving a request for  
1788 such a ballot.

1789 (c) ~~(b)~~ The supervisor shall provide an absentee ballot to  
1790 each elector by whom a request for that ballot has been made by  
1791 one of the following means:

1792 1. By nonforwardable, return-if-undeliverable mail to the  
1793 elector's current mailing address on file with the supervisor  
1794 or, unless the elector specifies in the request that:

1795 ~~a. The elector is absent from the county and does not plan~~  
1796 ~~to return before the day of the election;~~

1797 ~~b. The elector is temporarily unable to occupy the~~  
1798 ~~residence because of hurricane, tornado, flood, fire, or other~~  
1799 ~~emergency or natural disaster; or~~

1800 ~~e. The elector is in a hospital, assisted living facility,~~  
1801 ~~nursing home, short term medical or rehabilitation facility, or~~  
1802 ~~correctional facility,~~

1803  
1804 ~~in which case the supervisor shall mail the ballot by~~  
1805 ~~nonforwardable, return-if-undeliverable mail to any other~~  
1806 ~~address the elector specifies in the request.~~

1807 2. By forwardable mail, e-mail, or facsimile machine  
1808 transmission to absent uniformed services voters and overseas  
1809 voters. The absent uniformed services voter or overseas voter  
1810 may designate in the absentee ballot request the preferred  
1811 method of transmission. If the voter does not designate the



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1812 method of transmission, the absentee ballot shall be mailed.

1813         3. By personal delivery before 7 p.m. on election day to  
1814 the elector, upon presentation of the identification required in  
1815 s. 101.043.

1816         4. By delivery to a designee on election day or up to 5  
1817 days prior to the day of an election. Any elector may designate  
1818 in writing a person to pick up the ballot for the elector;  
1819 however, the person designated may not pick up more than two  
1820 absentee ballots per election, other than the designee's own  
1821 ballot, except that additional ballots may be picked up for  
1822 members of the designee's immediate family. For purposes of this  
1823 section, "immediate family" means the designee's spouse or the  
1824 parent, child, grandparent, or sibling of the designee or of the  
1825 designee's spouse. The designee shall provide to the supervisor  
1826 the written authorization by the elector and a picture  
1827 identification of the designee and must complete an affidavit.  
1828 The designee shall state in the affidavit that the designee is  
1829 authorized by the elector to pick up that ballot and shall  
1830 indicate if the elector is a member of the designee's immediate  
1831 family and, if so, the relationship. The department shall  
1832 prescribe the form of the affidavit. If the supervisor is  
1833 satisfied that the designee is authorized to pick up the ballot  
1834 and that the signature of the elector on the written  
1835 authorization matches the signature of the elector on file, the  
1836 supervisor shall give the ballot to that designee for delivery  
1837 to the elector.

1838         Section 37. Section 101.65, Florida Statutes, is amended to  
1839 read:

1840         101.65 Instructions to absent electors.—The supervisor





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1841 shall enclose with each absentee ballot separate printed  
1842 instructions in substantially the following form:

1843

1844 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1845 1. VERY IMPORTANT. In order to ensure that your absentee  
1846 ballot will be counted, it should be completed and returned as  
1847 soon as possible so that it can reach the supervisor of  
1848 elections of the county in which your precinct is located no  
1849 later than 7 p.m. on the day of the election.

1850 2. Mark your ballot in secret as instructed on the ballot.  
1851 You must mark your own ballot unless you are unable to do so  
1852 because of blindness, disability, or inability to read or write.

1853 3. Mark only the number of candidates or issue choices for  
1854 a race as indicated on the ballot. If you are allowed to "Vote  
1855 for One" candidate and you vote for more than one candidate,  
1856 your vote in that race will not be counted.

1857 4. Place your marked ballot in the enclosed secrecy  
1858 envelope.

1859 5. Insert the secrecy envelope into the enclosed mailing  
1860 envelope which is addressed to the supervisor.

1861 6. Seal the mailing envelope and completely fill out the  
1862 Voter's Certificate on the back of the mailing envelope.

1863 7. VERY IMPORTANT. In order for your absentee ballot to be  
1864 counted, you must sign your name on the line above (Voter's  
1865 Signature). An absentee ballot will be considered illegal and  
1866 not be counted if the signature on the voter's certificate does  
1867 not match the signature on record. The signature on file at the  
1868 start of the canvass of the absentee ballots is the signature  
1869 that will be used to verify your signature on the voter's



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1870 certificate. If you need to update your signature for this  
1871 election, send your signature update on a voter registration  
1872 application to your supervisor of elections so that it is  
1873 received no later than the start of the canvassing of absentee  
1874 ballots, which occurs no earlier than the 15th day before  
1875 election day.

1876 8. VERY IMPORTANT. If you are an overseas voter, you must  
1877 include the date you signed the Voter's Certificate on the line  
1878 above (Date) or your ballot may not be counted.

1879 9. Mail, deliver, or have delivered the completed mailing  
1880 envelope. Be sure there is sufficient postage if mailed.

1881 10. FELONY NOTICE. It is a felony under Florida law to  
1882 accept any gift, payment, or gratuity in exchange for your vote  
1883 for a candidate. It is also a felony under Florida law to vote  
1884 in an election using a false identity or false address, or under  
1885 any other circumstances making your ballot false or fraudulent.

1886 Section 38. Subsection (1) of section 101.657, Florida  
1887 Statutes, is amended to read:

1888 101.657 Early voting.-

1889 (1) (a) As a convenience to the voter, the supervisor of  
1890 elections shall allow an elector to vote early in the main or  
1891 branch office of the supervisor. The supervisor shall mark,  
1892 code, indicate on, or otherwise track the voter's precinct for  
1893 each early voted ballot. In order for a branch office to be used  
1894 for early voting, it shall be a permanent facility of the  
1895 supervisor and shall have been designated and used as such for  
1896 at least 1 year prior to the election. The supervisor may also  
1897 designate any city hall or permanent public library facility as  
1898 early voting sites; however, if so designated, the sites must be



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1899 geographically located so as to provide all voters in the county  
1900 an equal opportunity to cast a ballot, insofar as is  
1901 practicable. The results or tabulation of votes cast during  
1902 early voting may not be made before the close of the polls on  
1903 election day. Results shall be reported by precinct.

1904 (b) The supervisor shall designate each early voting site  
1905 by no later than the 30th day prior to an election and shall  
1906 designate an early voting area, as defined in s. 97.021, at each  
1907 early voting site.

1908 (c) All early voting sites in a county shall be open on the  
1909 same days for the same amount of time and shall allow any person  
1910 in line at the closing of an early voting site to vote.

1911 (d) Early voting shall begin on the 7th ~~15th~~ day before an  
1912 election which contains state or federal races and end on the  
1913 2nd day before the ~~an~~ election and. ~~For purposes of a special~~  
1914 ~~election held pursuant to s. 100.101, early voting shall begin~~  
1915 ~~on the 8th day before an election and end on the 2nd day before~~  
1916 ~~an election. Early voting shall be provided for 8 hours per~~  
1917 ~~weekday and 8 hours in the aggregate each weekend at each site~~  
1918 ~~during the applicable periods. The supervisor of elections may~~  
1919 provide early voting for elections that are not held in  
1920 conjunction with a state or federal election. However, the  
1921 supervisor has the discretion to determine the hours of  
1922 operation of early voting sites in those elections. ~~Early voting~~  
1923 ~~sites shall open no sooner than 7 a.m. and close no later than 7~~  
1924 ~~p.m. on each applicable day.~~

1925 (e) Notwithstanding the requirements of s. 100.3605,  
1926 municipalities may provide early voting in municipal elections  
1927 that are not held in conjunction with county or state elections.



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1928 If a municipality provides early voting, it may designate as  
1929 many sites as necessary and shall conduct its activities in  
1930 accordance with the provisions of paragraphs (a)-(c). The  
1931 supervisor is not required to conduct early voting if it is  
1932 provided pursuant to this subsection.

1933 (f) Notwithstanding the requirements of s. 189.405, special  
1934 districts may provide early voting in any district election not  
1935 held in conjunction with county or state elections. If a special  
1936 district provides early voting, it may designate as many sites  
1937 as necessary and shall conduct its activities in accordance with  
1938 the provisions of paragraphs (a)-(c). The supervisor is not  
1939 required to conduct early voting if it is provided pursuant to  
1940 this subsection.

1941 Section 39. Paragraph (a) of subsection (2) of section  
1942 101.68, Florida Statutes, is amended to read:

1943 101.68 Canvassing of absentee ballot.—

1944 (2) (a) The county canvassing board may begin the canvassing  
1945 of absentee ballots at 7 a.m. on the 15th ~~sixth~~ day before the  
1946 election, but not later than noon on the day following the  
1947 election. In addition, for any county using electronic  
1948 tabulating equipment, the processing of absentee ballots through  
1949 such tabulating equipment may begin at 7 a.m. on the 15th ~~sixth~~  
1950 day before the election. However, notwithstanding any such  
1951 authorization to begin canvassing or otherwise processing  
1952 absentee ballots early, no result shall be released until after  
1953 the closing of the polls in that county on election day. Any  
1954 supervisor of elections, deputy supervisor of elections,  
1955 canvassing board member, election board member, or election  
1956 employee who releases the results of a canvassing or processing



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1957 of absentee ballots prior to the closing of the polls in that  
1958 county on election day commits a felony of the third degree,  
1959 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1960 Section 40. Subsection (2) of section 101.6923, Florida  
1961 Statutes, is amended to read:

1962 101.6923 Special absentee ballot instructions for certain  
1963 first-time voters.-

1964 (2) A voter covered by this section shall be provided with  
1965 printed instructions with his or her absentee ballot in  
1966 substantially the following form:

1967  
1968 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.  
1969 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT  
1970 TO COUNT.

1971  
1972 1. In order to ensure that your absentee ballot will be  
1973 counted, it should be completed and returned as soon as possible  
1974 so that it can reach the supervisor of elections of the county  
1975 in which your precinct is located no later than 7 p.m. on the  
1976 date of the election.

1977 2. Mark your ballot in secret as instructed on the ballot.  
1978 You must mark your own ballot unless you are unable to do so  
1979 because of blindness, disability, or inability to read or write.

1980 3. Mark only the number of candidates or issue choices for  
1981 a race as indicated on the ballot. If you are allowed to "Vote  
1982 for One" candidate and you vote for more than one, your vote in  
1983 that race will not be counted.

1984 4. Place your marked ballot in the enclosed secrecy  
1985 envelope and seal the envelope.



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1986           5. Insert the secrecy envelope into the enclosed envelope  
1987 bearing the Voter's Certificate. Seal the envelope and  
1988 completely fill out the Voter's Certificate on the back of the  
1989 envelope.

1990           a. You must sign your name on the line above (Voter's  
1991 Signature).

1992           b. If you are an overseas voter, you must include the date  
1993 you signed the Voter's Certificate on the line above (Date) or  
1994 your ballot may not be counted.

1995           c. An absentee ballot will be considered illegal and will  
1996 not be counted if the signature on the Voter's Certificate does  
1997 not match the signature on record. The signature on file at the  
1998 start of the canvass of the absentee ballots is the signature  
1999 that will be used to verify your signature on the Voter's  
2000 Certificate. If you need to update your signature for this  
2001 election, send your signature update on a voter registration  
2002 application to your supervisor of elections so that it is  
2003 received no later than the start of canvassing of absentee  
2004 ballots, which occurs no earlier than the 15th day before  
2005 election day.

2006           6. Unless you meet one of the exemptions in Item 7., you  
2007 must make a copy of one of the following forms of  
2008 identification:

2009           a. Identification which must include your name and  
2010 photograph: United States passport; debit or credit card;  
2011 military identification; student identification; retirement  
2012 center identification; neighborhood association identification;  
2013 or public assistance identification; or

2014           b. Identification which shows your name and current



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2015 residence address: current utility bill, bank statement,  
2016 government check, paycheck, or government document (excluding  
2017 voter identification card).

2018 7. The identification requirements of Item 6. do not apply  
2019 if you meet one of the following requirements:

2020 a. You are 65 years of age or older.

2021 b. You have a temporary or permanent physical disability.

2022 c. You are a member of a uniformed service on active duty  
2023 who, by reason of such active duty, will be absent from the  
2024 county on election day.

2025 d. You are a member of the Merchant Marine who, by reason  
2026 of service in the Merchant Marine, will be absent from the  
2027 county on election day.

2028 e. You are the spouse or dependent of a member referred to  
2029 in paragraph c. or paragraph d. who, by reason of the active  
2030 duty or service of the member, will be absent from the county on  
2031 election day.

2032 f. You are currently residing outside the United States.

2033 8. Place the envelope bearing the Voter's Certificate into  
2034 the mailing envelope addressed to the supervisor. Insert a copy  
2035 of your identification in the mailing envelope. DO NOT PUT YOUR  
2036 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
2037 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
2038 BALLOT WILL NOT COUNT.

2039 9. Mail, deliver, or have delivered the completed mailing  
2040 envelope. Be sure there is sufficient postage if mailed.

2041 10. FELONY NOTICE. It is a felony under Florida law to  
2042 accept any gift, payment, or gratuity in exchange for your vote  
2043 for a candidate. It is also a felony under Florida law to vote



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2044 in an election using a false identity or false address, or under  
2045 any other circumstances making your ballot false or fraudulent.

2046 Section 41. Subsection (3) of section 101.75, Florida  
2047 Statutes, is amended to read:

2048 101.75 Municipal elections; change of dates for cause.—

2049 (3) Notwithstanding any provision of local law or municipal  
2050 charter, the governing body of a municipality may, by ordinance,  
2051 move the date of any municipal election to a date concurrent  
2052 with any statewide or countywide election. The dates for  
2053 qualifying for the election moved by the passage of such  
2054 ordinance shall be specifically provided for in the ordinance  
2055 ~~and shall run for no less than 14 days.~~ The term of office for  
2056 any elected municipal official shall commence as provided by the  
2057 relevant municipal charter or ordinance.

2058 Section 42. Subsection (4) of section 102.141, Florida  
2059 Statutes, is amended to read:

2060 102.141 County canvassing board; duties.—

2061 (4) The canvassing board shall report all early voting and  
2062 all tabulated absentee results to the Department of State within  
2063 30 minutes after the polls close. Thereafter, the canvassing  
2064 board shall report, with the exception of provisional ballot  
2065 results, updated precinct election results to the department at  
2066 least every 45 minutes until all results are completely  
2067 reported. The supervisor of elections shall notify the  
2068 department immediately of any circumstances that do not permit  
2069 periodic updates as required. Results shall be submitted in a  
2070 format prescribed by the department ~~submit by 11:59 p.m. on~~  
2071 ~~election night the preliminary returns it has received to the~~  
2072 ~~Department of State in a format provided by the department.~~





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2073 Section 43. Subsection (4) of section 102.168, Florida  
2074 Statutes, is amended, and subsection (8) is added to that  
2075 section, to read:

2076 102.168 Contest of election.—

2077 (4) The ~~county~~ canvassing board responsible for canvassing  
2078 the election is an indispensable ~~and proper~~ party defendant in  
2079 county and local elections. ~~+~~ The Elections Canvassing Commission  
2080 is an indispensable ~~and proper~~ party defendant in federal,  
2081 state, and multicounty elections and in elections for justice of  
2082 the Supreme Court, judge of a district court of appeal, and  
2083 judge of a circuit court. races; and The successful candidate is  
2084 an indispensable party to any action brought to contest the  
2085 election or nomination of a candidate.

2086 (8) In any contest that requires a review of the canvassing  
2087 board's decision on the legality of an absentee ballot pursuant  
2088 to s. 101.68 based upon a comparison of the signature on the  
2089 voter's certificate and the signature of the elector in the  
2090 registration records, the circuit court may not review or  
2091 consider any evidence other than the signatures on the voter's  
2092 certificate and the signature of the elector in the registration  
2093 records. The court's review of such issue shall be to determine  
2094 only if the canvassing board abused its discretion in making its  
2095 decision.

2096 Section 44. Paragraph (a) of subsection (4) of section  
2097 103.021, Florida Statutes, is amended to read:

2098 103.021 Nomination for presidential electors.—Candidates  
2099 for presidential electors shall be nominated in the following  
2100 manner:

2101 (4) (a) A minor political party that is affiliated with a



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2102 national party holding a national convention to nominate  
2103 candidates for President and Vice President of the United States  
2104 may have the names of its candidates for President and Vice  
2105 President of the United States printed on the general election  
2106 ballot by filing with the Department of State a certificate  
2107 naming the candidates for President and Vice President and  
2108 listing the required number of persons to serve as electors.  
2109 Notification to the Department of State under this subsection  
2110 shall be made by September 1 of the year in which the election  
2111 is held. When the Department of State has been so notified, it  
2112 shall order the names of the candidates nominated by the minor  
2113 political party to be included on the ballot and shall permit  
2114 the required number of persons to be certified as electors in  
2115 the same manner as other party candidates. As used in this  
2116 section, the term "national party" means a political party that  
2117 is registered with and recognized as a qualified national  
2118 committee of a political party by the Federal Election  
2119 Commission established and admitted to the ballot in at least  
2120 one state other than Florida.

2121 Section 45. Section 103.095, Florida Statutes, is created  
2122 to read:

2123 103.095 Minor political parties.-

2124 (1) Any group of citizens organized for the general  
2125 purposes of electing to office qualified persons and determining  
2126 public issues under the democratic processes of the United  
2127 States may become a minor political party of this state by  
2128 filing with the department a certificate showing the name of the  
2129 organization, the names and addresses of its current officers,  
2130 including the members of its executive committee, accompanied by



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2131 a completed uniform statewide voter registration application as  
2132 specified in s. 97.052 for each of its current officers and  
2133 members of its executive committee which reflect their  
2134 affiliation with the proposed minor political party, and a copy  
2135 of its constitution, bylaws, and rules and regulations.

2136 (2) Each elector registered to vote in the minor political  
2137 party in which he or she has so designated has a fundamental  
2138 right to fully and meaningfully participate in the business and  
2139 affairs of the minor political party without any monetary  
2140 encumbrance. The constitution, bylaws, rules, regulations, or  
2141 other equivalent documents must reflect this fundamental right  
2142 and must provide for and contain reasonable provisions that, at  
2143 a minimum, prescribe procedures to: prescribe its membership;  
2144 conduct its meetings according to generally accepted  
2145 parliamentary practices; timely notify its members as to the  
2146 time, date, and place of all of its meetings; timely publish  
2147 notice on its public and functioning website as to the time,  
2148 date, and place of all of its meetings; elect its officers;  
2149 remove its officers; make party nominations when required by  
2150 law; conduct campaigns for party nominees; raise and expend  
2151 party funds; select delegates to its national convention, if  
2152 applicable; select presidential electors, if applicable; and  
2153 alter or amend all of its governing documents.

2154 (3) The members of the executive committee must elect a  
2155 chair, vice chair, secretary, and treasurer, all of whom shall  
2156 be members of the minor political party and no member may hold  
2157 more than one office, except that one person may hold the  
2158 offices of secretary and treasurer.

2159 (4) Upon approval of the minor political party's filing,



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2160 the department shall process the voter registration applications  
2161 submitted by the minor political party's officers and members of  
2162 its executive committee. It shall be the duty of the minor  
2163 political party to notify the department of any changes in the  
2164 filing certificate within 5 days after such changes.

2165 (5) The Division of Elections shall adopt rules to  
2166 prescribe the manner in which political parties, including minor  
2167 political parties, may have their filings with the Department of  
2168 State canceled. Such rules shall, at a minimum, provide for:

2169 (a) Notice, which must contain the facts and conduct that  
2170 warrant the intended action, including, but not limited to, the  
2171 failure to have any voters registered in the party, the failure  
2172 to notify the department of replacement officers, the failure to  
2173 file campaign finance reports, the failure to adopt and file  
2174 with the department all governing documents containing the  
2175 provisions specified in subsection (2), and limited activity.

2176 (b) Adequate opportunity to respond.

2177 (c) Appeal of the decision to the Florida Elections  
2178 Commission. Such appeals are exempt from the confidentiality  
2179 provisions of s. 106.25.

2180 (6) The requirements of this section are retroactive for  
2181 any minor political party registered with the department on July  
2182 1, 2011, and must be complied with within 180 days after the  
2183 department provides notice to the minor political party of the  
2184 requirements contained in this section. Failure of the minor  
2185 political party to comply with the requirements within 180 days  
2186 after receipt of the notice shall automatically result in the  
2187 cancellation of the minor political party's registration.

2188 Section 46. Section 103.101, Florida Statutes, is amended



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2189 to read:

2190 103.101 Presidential preference primary.-

2191 (1) (a) There shall be a Presidential Preference Primary  
2192 Date Selection Committee composed of the Secretary of State, who  
2193 shall be a nonvoting chair; three members, no more than two of  
2194 whom may be from the same political party, appointed by the  
2195 Governor; three members, no more than two of whom may be from  
2196 the same political party, appointed by the Speaker of the House  
2197 of Representatives; and three members, no more than two of whom  
2198 may be from the same political party, appointed by the President  
2199 of the Senate. No later than October 1 of the year preceding the  
2200 presidential preference primary, the committee shall meet and  
2201 set a date for the presidential preference primary. The date  
2202 selected may be no earlier than the first Tuesday in January and  
2203 no later than the first Tuesday in March in the year of the  
2204 presidential preference primary. The presidential preference  
2205 primary shall be held in each year the number of which is a  
2206 multiple of four.

2207 (b) Each political party other than a minor political party  
2208 shall, on the date selected by the Presidential Preference  
2209 Primary Date Selection Committee last Tuesday in January in each  
2210 year the number of which is a multiple of 4, elect one person to  
2211 be the candidate for nomination of such party for President of  
2212 the United States or select delegates to the national nominating  
2213 convention, as provided by party rule. Any party rule directing  
2214 the vote of delegates at a national nominating convention shall  
2215 reasonably reflect the results of the presidential preference  
2216 primary, if one is held.

2217 ~~(2) (a) There shall be a Presidential Candidate Selection~~



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2218 ~~Committee composed of the Secretary of State, who shall be a~~  
2219 ~~nonvoting chair; the Speaker of the House of Representatives;~~  
2220 ~~the President of the Senate; the minority leader of each house~~  
2221 ~~of the Legislature; and the chair of each political party~~  
2222 ~~required to have a presidential preference primary under this~~  
2223 ~~section.~~

2224 ~~(b) By October 31 of the year preceding the presidential~~  
2225 ~~preference primary, each political party shall submit to the~~  
2226 ~~Secretary of State a list of its presidential candidates to be~~  
2227 ~~placed on the presidential preference primary ballot or~~  
2228 ~~candidates entitled to have delegates appear on the presidential~~  
2229 ~~preference primary ballot. The Secretary of State shall prepare~~  
2230 ~~and publish a list of the names of the presidential candidates~~  
2231 ~~submitted not later than on the first Tuesday after the first~~  
2232 ~~Monday in November of the year preceding the presidential~~  
2233 ~~preference primary. The Secretary of State shall submit such~~  
2234 ~~list of names of presidential candidates to the selection~~  
2235 ~~committee on the first Tuesday after the first Monday in~~  
2236 ~~November of the year preceding the presidential preference~~  
2237 ~~primary. Each person designated as a presidential candidate~~  
2238 ~~shall have his or her name appear, or have his or her delegates'~~  
2239 ~~names appear, on the presidential preference primary ballot~~  
2240 ~~unless all committee members of the same political party as the~~  
2241 ~~candidate agree to delete such candidate's name from the ballot.~~

2242 ~~(c) The selection committee shall meet in Tallahassee on~~  
2243 ~~the first Tuesday after the first Monday in November of the year~~  
2244 ~~preceding the presidential preference primary. The selection~~  
2245 ~~committee shall publicly announce and submit to the Department~~  
2246 ~~of State no later than 5 p.m. on the following day the names of~~



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2247 ~~presidential candidates who shall have their names appear, or~~  
2248 ~~who are entitled to have their delegates' names appear, on the~~  
2249 ~~presidential preference primary ballot.~~ The Department of State  
2250 shall immediately notify each presidential candidate listed  
2251 ~~designated~~ by the Secretary of State ~~committee~~. Such  
2252 notification shall be in writing, by registered mail, with  
2253 return receipt requested.

2254 (3) A candidate's name shall be printed on the presidential  
2255 preference primary ballot unless the candidate submits to the  
2256 Department of State, prior to the second Tuesday after the first  
2257 Monday in November of the year preceding the presidential  
2258 preference primary, an affidavit stating that he or she is not  
2259 now, and does not presently intend to become, a candidate for  
2260 President at the upcoming nominating convention. If a candidate  
2261 withdraws pursuant to this subsection, the Department of State  
2262 shall notify the state executive committee that the candidate's  
2263 name will not be placed on the ballot. The Department of State  
2264 shall, no later than the third Tuesday after the first Monday in  
2265 November of the year preceding the presidential preference  
2266 primary, certify to each supervisor of elections the name of  
2267 each candidate for political party nomination to be printed on  
2268 the ballot.

2269 (4) The names of candidates for political party nominations  
2270 for President of the United States shall be printed on official  
2271 ballots for the presidential preference primary election and  
2272 shall be marked, counted, canvassed, returned, and proclaimed in  
2273 the same manner and under the same conditions, so far as they  
2274 are applicable, as in other state elections. If party rule  
2275 requires the delegates' names to be printed on the official



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2276 presidential preference primary ballot, the name of the  
2277 presidential candidates for that political party may not be  
2278 printed separately, but the ballot may reflect the presidential  
2279 candidate to whom the delegate is pledged. If, however, a  
2280 political party has only one presidential candidate, neither the  
2281 name of the candidate nor the names of the candidate's delegates  
2282 shall be printed on the ballot.

2283 (5) The state executive committee of each party, by rule  
2284 adopted at least 60 ~~120~~ days prior to the presidential  
2285 preference primary election, shall determine the number, and  
2286 establish procedures to be followed in the selection, of  
2287 delegates and delegate alternates from among each candidate's  
2288 supporters. A copy of any rule adopted by the executive  
2289 committee shall be filed with the Department of State within 7  
2290 days after its adoption and shall become a public record. The  
2291 Department of State shall review the procedures and shall notify  
2292 the state executive committee of each political party of any  
2293 ballot limitations. The Department of State may promulgate rules  
2294 for the orderly conduct of the presidential preference primary  
2295 ballot.

2296 ~~(6) Delegates must qualify no later than the second Friday~~  
2297 ~~in November of the year preceding the presidential preference~~  
2298 ~~primary in the manner provided by party rule.~~

2299 ~~(7) All delegates shall be allocated as provided by party~~  
2300 ~~rule.~~

2301 ~~(6)~~~~(8)~~ All names of candidates or delegates shall be listed  
2302 as directed by the Department of State.

2303 Section 47. Section 103.141, Florida Statutes, is amended  
2304 to read:





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2305           103.141 Removal of county executive committee member for  
2306 violation of oath.-

2307           ~~(1) If~~ Where the county executive committee by at least a  
2308 two-thirds majority vote of the members of the committee,  
2309 attending a meeting held after due notice has been given and at  
2310 which meeting a quorum is present, determines an incumbent  
2311 county executive committee member is to be guilty of an offense  
2312 involving a violation of the member's oath of office, the said  
2313 ~~member so violating his or her oath~~ shall be removed from office  
2314 and the office shall be deemed vacant. ~~Provided,~~ However, if the  
2315 county committee wrongfully removes a county committee member  
2316 and the committee member ~~so~~ wrongfully removed files suit in the  
2317 circuit court alleging his or her removal was wrongful and wins  
2318 the said suit, the committee member shall be restored to office  
2319 and the county committee shall pay the costs incurred by the  
2320 wrongfully removed committee member in bringing the suit,  
2321 including reasonable attorney's fees.

2322           ~~(2) Any officer, county committeeman, county~~  
2323 ~~committeewoman, precinct committeeman, precinct committeewoman,~~  
2324 ~~or member of a county executive committee may be removed from~~  
2325 ~~office pursuant to s. 103.161.~~

2326           Section 48. Section 103.161, Florida Statutes, is repealed.

2327           Section 49. Section 104.29, Florida Statutes, is amended to  
2328 read:

2329           104.29 Inspectors refusing to allow watchers while ballots  
2330 are counted.-The inspectors or other election officials at the  
2331 polling place shall, after the polls close ~~at all times while~~  
2332 ~~the ballots are being counted~~, allow as many as three persons  
2333 near to them to see whether the ballots are being reconciled



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2334 ~~correctly. read and called and the votes correctly tallied, and~~  
2335 Any official who denies this privilege or interferes therewith  
2336 ~~commits is guilty of~~ a misdemeanor of the first degree,  
2337 punishable as provided in s. 775.082 or s. 775.083.

2338 Section 50. Paragraph (b) of subsection (4) of section  
2339 105.031, Florida Statutes, is amended to read:

2340 105.031 Qualification; filing fee; candidate's oath; items  
2341 required to be filed.—

2342 (4) CANDIDATE'S OATH.—

2343 (b) All candidates for judicial office shall subscribe to  
2344 an oath or affirmation in writing to be filed with the  
2345 appropriate qualifying officer upon qualifying. A printed copy  
2346 of the oath or affirmation shall be furnished to the candidate  
2347 by the qualifying officer and shall be in substantially the  
2348 following form:

2349  
2350 State of Florida  
2351 County of ....

2352 Before me, an officer authorized to administer oaths,  
2353 personally appeared ... (please print name as you wish it to  
2354 appear on the ballot) ..., to me well known, who, being sworn,  
2355 says he or she: is a candidate for the judicial office of ....;  
2356 that his or her legal residence is .... County, Florida; that he  
2357 or she is a qualified elector of the state and of the  
2358 territorial jurisdiction of the court to which he or she seeks  
2359 election; that he or she is qualified under the constitution and  
2360 laws of Florida to hold the judicial office to which he or she  
2361 desires to be elected or in which he or she desires to be  
2362 retained; ~~that he or she has taken the oath required by ss.~~



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2363 ~~876.05-876.10, Florida Statutes;~~ that he or she has qualified  
2364 for no other public office in the state, the term of which  
2365 office or any part thereof runs concurrent to the office he or  
2366 she seeks; ~~and~~ that he or she has resigned from any office which  
2367 he or she is required to resign pursuant to s. 99.012, Florida  
2368 Statutes; and that he or she will support the Constitution of  
2369 the United States and the Constitution of the State of Florida.

2370  
2371 ... (Signature of candidate) ...  
2372 ... (Address) ...  
2373

2374 Sworn to and subscribed before me this .... day of ....,  
2375 ... (year) ..., at .... County, Florida.

2376  
2377 ... (Signature and title of officer administering oath) ...

2378 Section 51. Subsection (3), paragraph (b) of subsection  
2379 (5), subsection (15), and paragraph (c) of subsection (16) of  
2380 section 106.011, Florida Statutes, are amended to read:

2381 106.011 Definitions.—As used in this chapter, the following  
2382 terms have the following meanings unless the context clearly  
2383 indicates otherwise:

2384 (3) "Contribution" means:

2385 (a) A gift, subscription, conveyance, deposit, loan,  
2386 payment, or distribution of money or anything of value,  
2387 including contributions in kind having an attributable monetary  
2388 value in any form, made for the purpose of influencing the  
2389 results of an election or making an electioneering  
2390 communication.

2391 (b) A transfer of funds between political committees,



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2392 between committees of continuous existence, between  
2393 electioneering communications organizations, or between any  
2394 combination of these groups.

2395 (c) The payment, by any person other than a candidate or  
2396 political committee, of compensation for the personal services  
2397 of another person which are rendered to a candidate or political  
2398 committee without charge to the candidate or committee for such  
2399 services.

2400 (d) The transfer of funds by a campaign treasurer or deputy  
2401 campaign treasurer between a primary depository and a separate  
2402 interest-bearing account or certificate of deposit, and the term  
2403 includes any interest earned on such account or certificate.

2404  
2405 Notwithstanding the foregoing meanings of "contribution," the  
2406 term may ~~word shall~~ not be construed to include services,  
2407 including, but not limited to, legal and accounting services,  
2408 provided without compensation by individuals volunteering a  
2409 portion or all of their time on behalf of a candidate or  
2410 political committee. ~~This definition shall not be construed to~~  
2411 ~~include~~ editorial endorsements.

2412 (5)

2413 (b) An expenditure for the purpose of expressly advocating  
2414 the election or defeat of a candidate which is made by the  
2415 national, state, or county executive committee of a political  
2416 party, including any subordinate committee of a national, state,  
2417 or county committee of a political party, or by any political  
2418 committee or committee of continuous existence, or any other  
2419 person, shall not be considered an independent expenditure if  
2420 the committee or person:



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2421           1. Communicates with the candidate, the candidate's  
2422 campaign, or an agent of the candidate acting on behalf of the  
2423 candidate, including any pollster, media consultant, advertising  
2424 agency, vendor, advisor, or staff member, concerning the  
2425 preparation of, use of, or payment for, the specific expenditure  
2426 or advertising campaign at issue; or

2427           2. Makes a payment in cooperation, consultation, or concert  
2428 with, at the request or suggestion of, or pursuant to any  
2429 general or particular understanding with the candidate, the  
2430 candidate's campaign, a political committee supporting the  
2431 candidate, or an agent of the candidate relating to the specific  
2432 expenditure or advertising campaign at issue; or

2433           3. Makes a payment for the dissemination, distribution, or  
2434 republication, in whole or in part, of any broadcast or any  
2435 written, graphic, or other form of campaign material prepared by  
2436 the candidate, the candidate's campaign, or an agent of the  
2437 candidate, including any pollster, media consultant, advertising  
2438 agency, vendor, advisor, or staff member; or

2439           4. Makes a payment based on information about the  
2440 candidate's plans, projects, or needs communicated to a member  
2441 of the committee or person by the candidate or an agent of the  
2442 candidate, provided the committee or person uses the information  
2443 in any way, in whole or in part, either directly or indirectly,  
2444 to design, prepare, or pay for the specific expenditure or  
2445 advertising campaign at issue; or

2446           5. After the last day of the qualifying period prescribed  
2447 for the candidate ~~for statewide or legislative office~~, consults  
2448 about the candidate's plans, projects, or needs in connection  
2449 with the candidate's pursuit of election to office and the



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2450 information is used in any way to plan, create, design, or  
2451 prepare an independent expenditure or advertising campaign,  
2452 with:

2453 a. Any officer, director, employee, or agent of a national,  
2454 state, or county executive committee of a political party that  
2455 has made or intends to make expenditures in connection with or  
2456 contributions to the candidate; or

2457 b. Any person whose professional services have been  
2458 retained by a national, state, or county executive committee of  
2459 a political party that has made or intends to make expenditures  
2460 in connection with or contributions to the candidate; or

2461 6. After the last day of the qualifying period prescribed  
2462 for the candidate ~~for statewide or legislative office~~, retains  
2463 the professional services of any person also providing those  
2464 services to the candidate in connection with the candidate's  
2465 pursuit of election to office; or

2466 7. Arranges, coordinates, or directs the expenditure, in  
2467 any way, with the candidate or an agent of the candidate.

2468 (15) "Unopposed candidate" means a candidate for nomination  
2469 or election to an office who, after the last day on which any  
2470 person, including a write-in candidate, may qualify, is without  
2471 opposition in the election at which the office is to be filled  
2472 or who is without such opposition after such date as a result of  
2473 any primary election or of withdrawal by other candidates  
2474 seeking the same office. A candidate is not an unopposed  
2475 candidate if there is a vacancy to be filled under s. 100.111(3)  
2476 ~~s. 100.111(4)~~, if there is a legal proceeding pending regarding  
2477 the right to a ballot position for the office sought by the  
2478 candidate, or if the candidate is seeking retention as a justice



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2479 or judge.

2480 (16) "Candidate" means any person to whom any one or more  
2481 of the following apply:

2482 (c) Any person who receives contributions or makes  
2483 expenditures, or consents for any other person to receive  
2484 contributions or make expenditures, with a view to bring about  
2485 his or her nomination or election to, or retention in, public  
2486 office. However, this definition does not include any candidate  
2487 for a political party executive committee. Expenditures related  
2488 to potential candidate polls as provided in s. 106.17 are not  
2489 contributions or expenditures for purposes of this subsection.

2490 Section 52. Subsection (3) of section 106.021, Florida  
2491 Statutes, is amended to read:

2492 106.021 Campaign treasurers; deputies; primary and  
2493 secondary depositories.—

2494 (3) No contribution or expenditure, including contributions  
2495 or expenditures of a candidate or of the candidate's family,  
2496 shall be directly or indirectly made or received in furtherance  
2497 of the candidacy of any person for nomination or election to  
2498 political office in the state or on behalf of any political  
2499 committee except through the duly appointed campaign treasurer  
2500 of the candidate or political committee, subject to the  
2501 following exceptions:

2502 (a) Independent expenditures;

2503 (b) Reimbursements to a candidate or any other individual  
2504 for expenses incurred in connection with the campaign or  
2505 activities of the political committee by a check drawn upon the  
2506 campaign account and reported pursuant to s. 106.07(4). ~~After~~  
2507 ~~July 1, 2004,~~ The full name ~~and address~~ of each person to whom



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2508 the candidate or other individual made payment for which  
2509 reimbursement was made by check drawn upon the campaign account  
2510 shall be reported pursuant to s. 106.07(4), together with the  
2511 purpose of such payment;

2512 (c) Expenditures made indirectly through a treasurer for  
2513 goods or services, such as communications media placement or  
2514 procurement services, campaign signs, insurance, or other  
2515 expenditures that include multiple integral components as part  
2516 of the expenditure and reported pursuant to s. 106.07(4)(a)13.;  
2517 or

2518 (d) Expenditures made directly by any political committee  
2519 or political party regulated by chapter 103 for obtaining time,  
2520 space, or services in or by any communications medium for the  
2521 purpose of jointly endorsing three or more candidates, and any  
2522 such expenditure shall not be considered a contribution or  
2523 expenditure to or on behalf of any such candidates for the  
2524 purposes of this chapter.

2525 Section 53. Section 106.022, Florida Statutes, is amended  
2526 to read:

2527 106.022 Appointment of a registered agent; duties.—

2528 (1) Each political committee, committee of continuous  
2529 existence, or electioneering communications organization shall  
2530 have and continuously maintain in this state a registered office  
2531 and a registered agent and must file with the filing officer  
2532 ~~division~~ a statement of appointment for the registered office  
2533 and registered agent. The statement of appointment must:

2534 (a) Provide the name of the registered agent and the street  
2535 address and phone number for the registered office;

2536 (b) Identify the entity for whom the registered agent





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2537 serves;

2538 (c) Designate the address the registered agent wishes to  
2539 use to receive mail;

2540 (d) Include the entity's undertaking to inform the filing  
2541 officer ~~division~~ of any change in such designated address;

2542 (e) Provide for the registered agent's acceptance of the  
2543 appointment, which must confirm that the registered agent is  
2544 familiar with and accepts the obligations of the position as set  
2545 forth in this section; and

2546 (f) Contain the signature of the registered agent and the  
2547 entity engaging the registered agent.

2548 (2) An entity may change its appointment of registered  
2549 agent and registered office under this section by executing a  
2550 written statement of change and filing it with the filing  
2551 officer. The statement must satisfy that identifies the former  
2552 ~~registered agent and registered address and also satisfies all~~  
2553 of the requirements of subsection (1).

2554 (3) A registered agent may resign his or her appointment as  
2555 registered agent by executing a written statement of resignation  
2556 and filing it with the filing officer ~~division~~. An entity  
2557 without a registered agent may not make expenditures or accept  
2558 contributions until it files a written statement of change as  
2559 required in subsection (2).

2560 Section 54. Subsection (1) of section 106.023, Florida  
2561 Statutes, is amended to read:

2562 106.023 Statement of candidate.—

2563 (1) Each candidate must file a statement with the  
2564 qualifying officer within 10 days after filing the appointment  
2565 of campaign treasurer and designation of campaign depository,



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2566 stating that the candidate has read and understands the  
2567 requirements of this chapter. Such statement shall be provided  
2568 by the filing officer and shall be in substantially the  
2569 following form:

2571 STATEMENT OF CANDIDATE

2572  
2573 I, ....., candidate for the office of ....., have been  
2574 provided access to ~~received,~~ read, and understand the  
2575 requirements of Chapter 106, Florida Statutes.

2576  
2577 ... (Signature of candidate) ... (Date) ...

2578  
2579 Willful failure to file this form is a violation of ss.  
2580 106.19(1)(c) and 106.25(3), F.S.

2581 Section 55. Paragraph (c) of subsection (1) of section  
2582 106.025, Florida Statutes, is amended to read:

2583 106.025 Campaign fund raisers.—

2584 (1)

2585 (c) Any tickets or advertising for such a campaign fund  
2586 raiser is exempt from the requirements of s. 106.143 ~~shall~~  
2587 ~~contain the following statement: "The purchase of a ticket for,~~  
2588 ~~or a contribution to, the campaign fund raiser is a contribution~~  
2589 ~~to the campaign of ... (name of the candidate for whose benefit~~  
2590 ~~the campaign fund raiser is held)...."~~ Such tickets or  
2591 advertising shall also comply with other provisions of this  
2592 chapter relating to political advertising.

2593 Section 56. Subsection (1) and paragraph (d) of subsection  
2594 (3) of section 106.03, Florida Statutes, are amended to read:



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2595 106.03 Registration of political committees and  
2596 electioneering communications organizations.—

2597 (1) (a) Each political committee that receives ~~anticipates~~  
2598 ~~receiving~~ contributions or makes ~~making~~ expenditures during a  
2599 calendar year in an aggregate amount exceeding \$500 or that  
2600 seeks ~~is seeking~~ the signatures of registered electors in  
2601 support of an initiative shall file a statement of organization  
2602 as provided in subsection (3) within 10 days after its  
2603 organization ~~or, if later, within 10 days after the date on~~  
2604 ~~which it has information that causes the committee to anticipate~~  
2605 ~~that it will receive contributions or make expenditures in~~  
2606 ~~excess of \$500~~. If a political committee is organized within 10  
2607 days of any election, it shall immediately file the statement of  
2608 organization required by this section.

2609 (b)1. Each group ~~electioneering communications organization~~  
2610 ~~that receives contributions or makes expenditures during a~~  
2611 ~~calendar year in an aggregate amount exceeding \$5,000~~ shall file  
2612 a statement of organization as an electioneering communications  
2613 organization provided in subparagraph 2. by expedited delivery  
2614 ~~within 24 hours after its organization or, if later, within 24~~  
2615 hours after the date on which it ~~receives contributions or makes~~  
2616 expenditures for an electioneering communication in excess of  
2617 \$5,000, if such expenditures are made within the timeframes  
2618 specified in s. 106.011(18) (a)2. If the group makes expenditures  
2619 for an electioneering communication in excess of \$5,000 before  
2620 the timeframes specified in s. 106.011(18) (a)2., it shall file  
2621 the statement of organization within 24 hours after the 30th day  
2622 before a primary or special primary election, or within 24 hours  
2623 after the 60th day before any other election, whichever is



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2624 applicable.

2625           2.a. In a statewide, legislative, or multicounty election,  
2626 an electioneering communications organization shall file a  
2627 statement of organization with the Division of Elections.

2628           b. In a countywide election or any election held on less  
2629 than a countywide basis, except as described in sub-subparagraph  
2630 c., an electioneering communications organization shall file a  
2631 statement of organization with the supervisor of elections of  
2632 the county in which the election is being held.

2633           c. In a municipal election, an electioneering  
2634 communications organization shall file a statement of  
2635 organization with the officer before whom municipal candidates  
2636 qualify.

2637           d. Any electioneering communications organization that  
2638 would be required to file a statement of organization in two or  
2639 more locations ~~by reason of the organization's intention to~~  
2640 ~~support or oppose candidates at state or multicounty and local~~  
2641 ~~levels of government~~ need only file a statement of organization  
2642 with the Division of Elections.

2643           (3)

2644           (d) Any political committee which would be required under  
2645 this subsection to file a statement of organization in two or  
2646 more locations ~~by reason of the committee's intention to support~~  
2647 ~~or oppose candidates or issues at state or multicounty and local~~  
2648 ~~levels of government~~ need file only with the Division of  
2649 Elections.

2650           Section 57. Subsection (4) of section 106.04, Florida  
2651 Statutes, is amended, present subsections (7) and (8) of that  
2652 section are amended and renumbered as subsections (8) and (9),



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2653 respectively, and a new subsection (7) is added to that section,  
2654 to read:

2655 106.04 Committees of continuous existence.—

2656 (4) (a) Each committee of continuous existence shall file an  
2657 annual report with the Division of Elections during the month of  
2658 January. Such annual reports shall contain the same information  
2659 and shall be accompanied by the same materials as original  
2660 applications filed pursuant to subsection (2). However, the  
2661 charter or bylaws need not be filed if the annual report is  
2662 accompanied by a sworn statement by the chair that no changes  
2663 have been made to such charter or bylaws since the last filing.

2664 (b) 1. Each committee of continuous existence shall file  
2665 regular reports with the Division of Elections at the same times  
2666 and subject to the same filing conditions as are established by  
2667 s. 106.07(1) and (2) for candidates' reports. In addition, when  
2668 a special election is called to fill a vacancy in office, a  
2669 committee of continuous existence that makes a contribution or  
2670 expenditure to influence the results of such special election or  
2671 the preceding special primary election must file campaign  
2672 finance reports with the filing officer on the dates set by the  
2673 Department of State pursuant to s. 100.111.

2674 2. Any committee of continuous existence failing to so file  
2675 a report with the Division of Elections or applicable filing  
2676 officer pursuant to this paragraph on the designated due date  
2677 shall be subject to a fine for late filing as provided by this  
2678 section.

2679 (c) All committees of continuous existence shall file their  
2680 reports with the Division of Elections. Reports shall be filed  
2681 in accordance with s. 106.0705 and shall contain the following



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2682 information:

2683           1. The full name, address, and occupation of each person  
2684 who has made one or more contributions, including contributions  
2685 that represent the payment of membership dues, to the committee  
2686 during the reporting period, together with the amounts and dates  
2687 of such contributions. For corporations, the report must provide  
2688 as clear a description as practicable of the principal type of  
2689 business conducted by the corporation. However, if the  
2690 contribution is \$100 or less, the occupation of the contributor  
2691 or principal type of business need not be listed. However, for  
2692 any contributions that represent the payment of dues by members  
2693 in a fixed amount aggregating no more than \$250 per calendar  
2694 year, pursuant to the schedule on file with the Division of  
2695 Elections, only the aggregate amount of such contributions need  
2696 be listed, together with the number of members paying such dues  
2697 and the amount of the membership dues.

2698           2. The name and address of each political committee or  
2699 committee of continuous existence from which the reporting  
2700 committee received, or the name and address of each political  
2701 committee, committee of continuous existence, or political party  
2702 to which it made, any transfer of funds, together with the  
2703 amounts and dates of all transfers.

2704           3. Any other receipt of funds not listed pursuant to  
2705 subparagraph 1. or subparagraph 2., including the sources and  
2706 amounts of all such funds.

2707           4. The name and address of, and office sought by, each  
2708 candidate to whom the committee has made a contribution during  
2709 the reporting period, together with the amount and date of each  
2710 contribution.



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2711           5. The full name and address of each person to whom  
2712 expenditures have been made by or on behalf of the committee  
2713 within the reporting period; the amount, date, and purpose of  
2714 each such expenditure; and the name and address, and office  
2715 sought by, each candidate on whose behalf such expenditure was  
2716 made.

2717           6. The full name and address of each person to whom an  
2718 expenditure for personal services, salary, or reimbursement for  
2719 authorized expenses has been made, including the full name and  
2720 address of each entity to whom the person made payment for which  
2721 reimbursement was made by check drawn upon the committee  
2722 account, together with the amount and purpose of such payment.

2723           7. Transaction information from each credit card purchase  
2724 ~~statement that will be included in the next report following~~  
2725 ~~receipt thereof by the committee.~~ Receipts for each credit card  
2726 purchase shall be retained by the treasurer with the records for  
2727 the committee account.

2728           8. The total sum of expenditures made by the committee  
2729 during the reporting period.

2730           (d) The treasurer of each committee shall certify as to the  
2731 correctness of each report and shall bear the responsibility for  
2732 its accuracy and veracity. Any treasurer who willfully certifies  
2733 to the correctness of a report while knowing that such report is  
2734 incorrect, false, or incomplete commits a misdemeanor of the  
2735 first degree, punishable as provided in s. 775.082 or s.  
2736 775.083.

2737           (7) Any change in information previously submitted to the  
2738 division shall be reported within 10 days following the change.

2739           (8)~~(7)~~ If a committee of continuous existence ceases to



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2740 meet the criteria prescribed by subsection (1), the Division of  
2741 Elections shall revoke its certification ~~until such time as the~~  
2742 ~~criteria are again met~~. The Division of Elections shall adopt  
2743 ~~promulgate~~ rules to prescribe the manner in which the such  
2744 certification of a committee of continuous existence shall be  
2745 revoked. Such rules shall, at a minimum, provide for:

2746 (a) Notice, which must ~~shall~~ contain the facts and conduct  
2747 that warrant the intended action.

2748 (b) Adequate opportunity to respond.

2749 (c) Appeal of the decision to the Florida Elections  
2750 Commission. Such appeals are ~~shall be~~ exempt from the  
2751 confidentiality provisions of s. 106.25.

2752 (9)-(8) (a) Any committee of continuous existence failing to  
2753 file a report on the designated due date is ~~shall be~~ subject to  
2754 a fine. The fine shall be \$50 per day for the first 3 days late  
2755 and, thereafter, \$500 per day for each late day, not to exceed  
2756 25 percent of the total receipts or expenditures, whichever is  
2757 greater, for the period covered by the late report. However, for  
2758 the reports immediately preceding each primary and general  
2759 election, including a special primary election and a special  
2760 general election, the fine shall be \$500 per day for each late  
2761 day, not to exceed 25 percent of the total receipts or  
2762 expenditures, whichever is greater, for the period covered by  
2763 the late report. The fine shall be assessed by the filing  
2764 officer, and the moneys collected shall be deposited into:

2765 1. In The General Revenue Fund, in the case of fines  
2766 collected by the Division of Elections.

2767 2. The general revenue fund of the political subdivision,  
2768 in the case of fines collected by a county or municipal filing





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2769 officer. No separate fine shall be assessed for failure to file  
2770 a copy of any report required by this section.

2771 (b) Upon determining that a report is late, the filing  
2772 officer shall immediately notify the treasurer of the committee  
2773 or the committee's registered agent as to the failure to file a  
2774 report by the designated due date and that a fine is being  
2775 assessed for each late day. Upon receipt of the report, the  
2776 filing officer shall determine the amount of fine which is due  
2777 and shall notify the treasurer of the committee. Notice is  
2778 deemed complete upon proof of delivery of written notice to the  
2779 mailing or street address on record with the filing officer. The  
2780 filing officer shall determine the amount of the fine due based  
2781 upon the earliest of the following:

- 2782 1. When the report is actually received by such officer.  
2783 2. When the report is postmarked.  
2784 3. When the certificate of mailing is dated.  
2785 4. When the receipt from an established courier company is  
2786 dated.

2787  
2788 Such fine shall be paid to the filing officer within 20 days  
2789 after receipt of the notice of payment due, unless appeal is  
2790 made to the Florida Elections Commission pursuant to paragraph  
2791 (c). An officer or member of a committee is ~~shall~~ not ~~be~~  
2792 personally liable for such fine.

2793 (c) Any treasurer of a committee may appeal or dispute the  
2794 fine, based upon unusual circumstances surrounding the failure  
2795 to file on the designated due date, and may request and is ~~shall~~  
2796 ~~be~~ entitled to a hearing before the Florida Elections  
2797 Commission, which may ~~shall have the authority to~~ waive the fine



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2798 in whole or in part. Any such request must ~~shall~~ be made within  
2799 20 days after receipt of the notice of payment due. ~~In such~~  
2800 ~~ease, the treasurer of~~ The committee shall file the appeal with  
2801 ~~, within the 20-day period, notify the filing officer in writing~~  
2802 ~~of his or her intention to bring the matter before the~~  
2803 commission, with a copy provided to the filing officer.

2804 (d) The filing officer shall notify the Florida Elections  
2805 Commission of the repeated late filing by a committee of  
2806 continuous existence, the failure of a committee of continuous  
2807 existence to file a report after notice, or the failure to pay  
2808 the fine imposed.

2809 Section 58. Section 106.07, Florida Statutes, is amended to  
2810 read:

2811 106.07 Reports; certification and filing.—

2812 (1) Each campaign treasurer designated by a candidate or  
2813 political committee pursuant to s. 106.021 shall file regular  
2814 reports of all contributions received, and all expenditures  
2815 made, by or on behalf of such candidate or political committee.  
2816 Except for the third calendar quarter immediately preceding a  
2817 general election, reports shall be filed on the 10th day  
2818 following the end of each calendar quarter from the time the  
2819 campaign treasurer is appointed, except that, if the 10th day  
2820 following the end of a calendar quarter occurs on a Saturday,  
2821 Sunday, or legal holiday, the report shall be filed on the next  
2822 following day which is not a Saturday, Sunday, or legal holiday.  
2823 Quarterly reports shall include all contributions received and  
2824 expenditures made during the calendar quarter which have not  
2825 otherwise been reported pursuant to this section.

2826 (a) Except as provided in paragraph (b), ~~following the last~~



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2827 ~~day of qualifying for office,~~ the reports shall also be filed on  
2828 the 32nd, 18th, and 4th days immediately preceding the primary  
2829 and on the 46th, 32nd, 18th, and 4th days immediately preceding  
2830 the election, for a candidate who is opposed in seeking  
2831 nomination or election to any office, for a political committee,  
2832 or for a committee of continuous existence.

2833 (b) ~~Following the last day of qualifying for office,~~ Any  
2834 statewide candidate who has requested to receive contributions  
2835 pursuant to ~~from~~ the Florida Election Campaign Financing Act  
2836 ~~Trust Fund~~ or any statewide candidate in a race with a candidate  
2837 who has requested to receive contributions pursuant to ~~from~~ the  
2838 act ~~trust fund~~ shall also file reports on the 4th, 11th, 18th,  
2839 25th, and 32nd days prior to the primary election, and on the  
2840 4th, 11th, 18th, 25th, 32nd, 39th, 46th, and 53rd days prior to  
2841 the general election.

2842 (c) Following the last day of qualifying for office, any  
2843 unopposed candidate need only file a report within 90 days after  
2844 the date such candidate became unopposed. Such report shall  
2845 contain all previously unreported contributions and expenditures  
2846 as required by this section and shall reflect disposition of  
2847 funds as required by s. 106.141.

2848 (d)1. When a special election is called to fill a vacancy  
2849 in office, all political committees ~~and committees of continuous~~  
2850 ~~existence~~ making contributions or expenditures to influence the  
2851 results of such special election or the preceding special  
2852 primary election shall file campaign treasurers' reports with  
2853 the filing officer on the dates set by the Department of State  
2854 pursuant to s. 100.111.

2855 2. When an election is called for an issue to appear on the



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2856 ballot at a time when no candidates are scheduled to appear on  
2857 the ballot, all political committees making contributions or  
2858 expenditures in support of or in opposition to such issue shall  
2859 file reports on the 18th and 4th days prior to such election.

2860 (e) The filing officer shall provide each candidate with a  
2861 schedule designating the beginning and end of reporting periods  
2862 as well as the corresponding designated due dates.

2863 (2) (a) 1. All reports required of a candidate by this  
2864 section shall be filed with the officer before whom the  
2865 candidate is required by law to qualify. All candidates who file  
2866 with the Department of State shall file their reports pursuant  
2867 to s. 106.0705. Except as provided in s. 106.0705, reports shall  
2868 be filed not later than 5 p.m. of the day designated; however,  
2869 any report postmarked by the United States Postal Service no  
2870 later than midnight of the day designated shall be deemed to  
2871 have been filed in a timely manner. Any report received by the  
2872 filing officer within 5 days after the designated due date that  
2873 was delivered by the United States Postal Service shall be  
2874 deemed timely filed unless it has a postmark that indicates that  
2875 the report was mailed after the designated due date. A  
2876 certificate of mailing obtained from and dated by the United  
2877 States Postal Service at the time of mailing, or a receipt from  
2878 an established courier company, which bears a date on or before  
2879 the date on which the report is due, shall be proof of mailing  
2880 in a timely manner. Reports shall contain information of all  
2881 previously unreported contributions received and expenditures  
2882 made as of the preceding Friday, except that the report filed on  
2883 the Friday immediately preceding the election shall contain  
2884 information of all previously unreported contributions received



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2885 and expenditures made as of the day preceding that designated  
2886 due date. All such reports shall be open to public inspection.

2887 2. This subsection does not prohibit the governing body of  
2888 a political subdivision, by ordinance or resolution, from  
2889 imposing upon its own officers and candidates electronic filing  
2890 requirements not in conflict with s. 106.0705. Expenditure of  
2891 public funds for such purpose is deemed to be for a valid public  
2892 purpose.

2893 (b)1. Any report that ~~which~~ is deemed to be incomplete by  
2894 the officer with whom the candidate qualifies shall be accepted  
2895 on a conditional basis. ~~and~~ The campaign treasurer shall be  
2896 notified by certified registered mail or by another method using  
2897 a common carrier that provides a proof of delivery of the notice  
2898 as to why the report is incomplete and within 7 ~~be given 3~~ days  
2899 after ~~from~~ receipt of such notice must ~~to~~ file an addendum to  
2900 the report providing all information necessary to complete the  
2901 report in compliance with this section. Failure to file a  
2902 complete report after such notice constitutes a violation of  
2903 this chapter.

2904 2. Notice is deemed complete upon proof of delivery of a  
2905 written notice to the mailing or street address of the campaign  
2906 treasurer or registered agent of record with the filing officer.  
2907 ~~In lieu of the notice by registered mail as required in~~  
2908 ~~subparagraph 1., the qualifying officer may notify the campaign~~  
2909 ~~treasurer by telephone that the report is incomplete and request~~  
2910 ~~the information necessary to complete the report. If, however,~~  
2911 ~~such information is not received by the qualifying officer~~  
2912 ~~within 3 days after the telephone request therefor, notice shall~~  
2913 ~~be sent by registered mail as provided in subparagraph 1.~~



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2914 (3) Reports required of a political committee shall be  
2915 filed with the agency or officer before whom such committee  
2916 registers pursuant to s. 106.03(3) and shall be subject to the  
2917 same filing conditions as established for candidates' reports.  
2918 Incomplete reports by political committees shall be treated in  
2919 the manner provided for incomplete reports by candidates in  
2920 subsection (2).

2921 (4) (a) Each report required by this section must ~~shall~~  
2922 contain:

2923 1. The full name, address, and occupation, if any of each  
2924 person who has made one or more contributions to or for such  
2925 committee or candidate within the reporting period, together  
2926 with the amount and date of such contributions. For  
2927 corporations, the report must provide as clear a description as  
2928 practicable of the principal type of business conducted by the  
2929 corporation. However, if the contribution is \$100 or less or is  
2930 from a relative, as defined in s. 112.312, provided that the  
2931 relationship is reported, the occupation of the contributor or  
2932 the principal type of business need not be listed.

2933 2. The name and address of each political committee from  
2934 which the reporting committee or the candidate received, or to  
2935 which the reporting committee or candidate made, any transfer of  
2936 funds, together with the amounts and dates of all transfers.

2937 3. Each loan for campaign purposes to or from any person or  
2938 political committee within the reporting period, together with  
2939 the full names, addresses, and occupations, and principal places  
2940 of business, if any, of the lender and endorsers, if any, and  
2941 the date and amount of such loans.

2942 4. A statement of each contribution, rebate, refund, or



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2943 other receipt not otherwise listed under subparagraphs 1.  
2944 through 3.

2945 5. The total sums of all loans, in-kind contributions, and  
2946 other receipts by or for such committee or candidate during the  
2947 reporting period. The reporting forms shall be designed to  
2948 elicit separate totals for in-kind contributions, loans, and  
2949 other receipts.

2950 6. The full name and address of each person to whom  
2951 expenditures have been made by or on behalf of the committee or  
2952 candidate within the reporting period; the amount, date, and  
2953 purpose of each such expenditure; and the name and address of,  
2954 and office sought by, each candidate on whose behalf such  
2955 expenditure was made. However, expenditures made from the petty  
2956 cash fund provided by s. 106.12 need not be reported  
2957 individually.

2958 7. The full name and address of each person to whom an  
2959 expenditure for personal services, salary, or reimbursement for  
2960 authorized expenses as provided in s. 106.021(3) has been made  
2961 and which is not otherwise reported, including the amount, date,  
2962 and purpose of such expenditure. However, expenditures made from  
2963 the petty cash fund provided for in s. 106.12 need not be  
2964 reported individually. Receipts for reimbursement for authorized  
2965 expenditures shall be retained by the treasurer along with the  
2966 records for the campaign account.

2967 8. The total amount withdrawn and the total amount spent  
2968 for petty cash purposes pursuant to this chapter during the  
2969 reporting period.

2970 9. The total sum of expenditures made by such committee or  
2971 candidate during the reporting period.



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2972           10. The amount and nature of debts and obligations owed by  
2973 or to the committee or candidate, which relate to the conduct of  
2974 any political campaign.

2975           11. Transaction information for each credit card purchase.  
2976 ~~A copy of each credit card statement which shall be included in~~  
2977 ~~the next report following receipt thereof by the candidate or~~  
2978 ~~political committee.~~ Receipts for each credit card purchase  
2979 shall be retained by the treasurer with the records for the  
2980 campaign account.

2981           12. The amount and nature of any separate interest-bearing  
2982 accounts or certificates of deposit and identification of the  
2983 financial institution in which such accounts or certificates of  
2984 deposit are located.

2985           13. The primary purposes of an expenditure made indirectly  
2986 through a campaign treasurer pursuant to s. 106.021(3) for goods  
2987 and services such as communications media placement or  
2988 procurement services, campaign signs, insurance, and other  
2989 expenditures that include multiple components as part of the  
2990 expenditure. The primary purpose of an expenditure shall be that  
2991 purpose, including integral and directly related components,  
2992 that comprises 80 percent of such expenditure.

2993           (b) The filing officer shall make available to any  
2994 candidate or committee a reporting form which the candidate or  
2995 committee may use to indicate contributions received by the  
2996 candidate or committee but returned to the contributor before  
2997 deposit.

2998           (5) The candidate and his or her campaign treasurer, in the  
2999 case of a candidate, or the political committee chair and  
3000 campaign treasurer of the committee, in the case of a political





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3001 committee, shall certify as to the correctness of each report;  
3002 and each person so certifying shall bear the responsibility for  
3003 the accuracy and veracity of each report. Any campaign  
3004 treasurer, candidate, or political committee chair who willfully  
3005 certifies the correctness of any report while knowing that such  
3006 report is incorrect, false, or incomplete commits a misdemeanor  
3007 of the first degree, punishable as provided in s. 775.082 or s.  
3008 775.083.

3009 (6) ~~The campaign depository shall return all checks drawn~~  
3010 ~~on the account to the campaign treasurer who shall retain the~~  
3011 ~~records pursuant to s. 106.06.~~ The records maintained by the  
3012 campaign depository with respect to any campaign account  
3013 regulated by this chapter are such account shall be subject to  
3014 inspection by an agent of the Division of Elections or the  
3015 Florida Elections Commission at any time during normal banking  
3016 hours, and such depository shall furnish certified copies of any  
3017 of such records to the Division of Elections or Florida  
3018 Elections Commission upon request.

3019 (7) Notwithstanding any other provisions of this chapter,  
3020 in any reporting period during which a candidate, political  
3021 committee, or committee of continuous existence has not received  
3022 funds, made any contributions, or expended any reportable funds,  
3023 the filing of the required report for that period is waived.  
3024 However, the next report filed must specify that the report  
3025 covers the entire period between the last submitted report and  
3026 the report being filed, and any candidate, political committee,  
3027 or committee of continuous existence not reporting by virtue of  
3028 this subsection on dates prescribed elsewhere in this chapter  
3029 shall notify the filing officer in writing on the prescribed



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3030 reporting date that no report is being filed on that date.

3031 (8) (a) Any candidate or political committee failing to file  
3032 a report on the designated due date is ~~shall be~~ subject to a  
3033 fine as provided in paragraph (b) for each late day, and, in the  
3034 case of a candidate, such fine shall be paid only from personal  
3035 funds of the candidate. The fine shall be assessed by the filing  
3036 officer and the moneys collected shall be deposited:

3037 1. In the General Revenue Fund, in the case of a candidate  
3038 for state office or a political committee that registers with  
3039 the Division of Elections; or

3040 2. In the general revenue fund of the political  
3041 subdivision, in the case of a candidate for an office of a  
3042 political subdivision or a political committee that registers  
3043 with an officer of a political subdivision.

3044  
3045 No separate fine shall be assessed for failure to file a copy of  
3046 any report required by this section.

3047 (b) Upon determining that a report is late, the filing  
3048 officer shall immediately notify the candidate or chair of the  
3049 political committee as to the failure to file a report by the  
3050 designated due date and that a fine is being assessed for each  
3051 late day. The fine shall be \$50 per day for the first 3 days  
3052 late and, thereafter, \$500 per day for each late day, not to  
3053 exceed 25 percent of the total receipts or expenditures,  
3054 whichever is greater, for the period covered by the late report.  
3055 However, for the reports immediately preceding each special  
3056 primary election, special election, primary election, and  
3057 general election, the fine shall be \$500 per day for each late  
3058 day, not to exceed 25 percent of the total receipts or



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3059 expenditures, whichever is greater, for the period covered by  
3060 the late report. For reports required under s. 106.141(7), the  
3061 fine is \$50 per day for each late day, not to exceed 25 percent  
3062 of the total receipts or expenditures, whichever is greater, for  
3063 the period covered by the late report. Upon receipt of the  
3064 report, the filing officer shall determine the amount of the  
3065 fine which is due and shall notify the candidate or chair or  
3066 registered agent of the political committee. The filing officer  
3067 shall determine the amount of the fine due based upon the  
3068 earliest of the following:

- 3069 1. When the report is actually received by such officer.
- 3070 2. When the report is postmarked.
- 3071 3. When the certificate of mailing is dated.
- 3072 4. When the receipt from an established courier company is  
3073 dated.
- 3074 5. When the electronic receipt issued pursuant to s.  
3075 106.0705 or other electronic filing system authorized in this  
3076 section is dated.

3077  
3078 Such fine shall be paid to the filing officer within 20 days  
3079 after receipt of the notice of payment due, unless appeal is  
3080 made to the Florida Elections Commission pursuant to paragraph  
3081 (c). Notice is deemed complete upon proof of delivery of written  
3082 notice to the mailing or street address on record with the  
3083 filing officer. In the case of a candidate, such fine shall not  
3084 be an allowable campaign expenditure and shall be paid only from  
3085 personal funds of the candidate. An officer or member of a  
3086 political committee shall not be personally liable for such  
3087 fine.



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3088 (c) Any candidate or chair of a political committee may  
3089 appeal or dispute the fine, based upon, but not limited to,  
3090 unusual circumstances surrounding the failure to file on the  
3091 designated due date, and may request and shall be entitled to a  
3092 hearing before the Florida Elections Commission, which shall  
3093 have the authority to waive the fine in whole or in part. The  
3094 Florida Elections Commission must consider the mitigating and  
3095 aggravating circumstances contained in s. 106.265(1) when  
3096 determining the amount of a fine, if any, to be waived. Any such  
3097 request shall be made within 20 days after receipt of the notice  
3098 of payment due. In such case, the candidate or chair of the  
3099 political committee shall, within the 20-day period, notify the  
3100 filing officer in writing of his or her intention to bring the  
3101 matter before the commission.

3102 (d) The appropriate filing officer shall notify the Florida  
3103 Elections Commission of the repeated late filing by a candidate  
3104 or political committee, the failure of a candidate or political  
3105 committee to file a report after notice, or the failure to pay  
3106 the fine imposed. The commission shall investigate only those  
3107 alleged late filing violations specifically identified by the  
3108 filing officer and as set forth in the notification. Any other  
3109 alleged violations must be separately stated and reported by the  
3110 division to the commission under s. 106.25(2).

3111 (9) The Department of State may prescribe by rule the  
3112 requirements for filing campaign treasurers' reports as set  
3113 forth in this chapter.

3114 Section 59. Subsections (8) and (9) of section 106.0703,  
3115 Florida Statutes, are amended to read:

3116 106.0703 Electioneering communications organizations;



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3117 reporting requirements; certification and filing; penalties.-  
3118 ~~(8) An electioneering communications organization shall,~~  
3119 ~~within 2 days after receiving its initial password or secure~~  
3120 ~~sign on from the Department of State allowing confidential~~  
3121 ~~access to the department's electronic campaign finance filing~~  
3122 ~~system, electronically file the periodic reports that would have~~  
3123 ~~been required pursuant to this section for reportable activities~~  
3124 ~~that occurred since the date of the last general election.~~  
3125 (8)~~(9)~~ Electioneering communications organizations shall  
3126 not use credit cards.  
3127 Section 60. Paragraphs (a) and (c) of subsection (2) and  
3128 subsections (3) and (7) of section 106.0705, Florida Statutes,  
3129 are amended to read:  
3130 106.0705 Electronic filing of campaign treasurer's  
3131 reports.-  
3132 (2) (a) Each individual ~~candidate~~ who is required to file  
3133 reports with the division pursuant to s. 106.07 or s. 106.141  
3134 ~~with the division~~ must file such reports ~~with the division~~ by  
3135 means of the division's electronic filing system.  
3136 (c) Each person or organization that is required to file  
3137 reports with the division under s. 106.071 must file such  
3138 reports ~~with the division~~ by means of the division's electronic  
3139 filing system.  
3140 (3) Reports filed pursuant to this section shall be  
3141 completed and filed through the electronic filing system not  
3142 later than midnight of the day designated. Reports not filed by  
3143 midnight of the day designated are late filed and are subject to  
3144 the penalties under s. 106.04(9) ~~s. 106.04(8)~~, s. 106.07(8), s.  
3145 106.0703(7), or s. 106.29(3), as applicable.



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3146           ~~(7) Notwithstanding anything in law to the contrary, any~~  
3147 ~~report required to have been filed under this section for the~~  
3148 ~~period ended March 31, 2005, shall be deemed to have been timely~~  
3149 ~~filed if the report is filed under this section on or before~~  
3150 ~~June 1, 2005.~~

3151           Section 61. Subsections (3) and (6) of section 106.08,  
3152 Florida Statutes, are amended to read:

3153           106.08 Contributions; limitations on.—

3154           (3) (a) Any contribution received by a candidate with  
3155 opposition in an election or by the campaign treasurer or a  
3156 deputy campaign treasurer of such a candidate on the day of that  
3157 election or less than 5 days prior to the day of that election  
3158 must be returned by him or her to the person or committee  
3159 contributing it and may not be used or expended by or on behalf  
3160 of the candidate.

3161           (b) Except as otherwise provided in paragraph (c), any  
3162 contribution received by a candidate or by the campaign  
3163 treasurer or a deputy campaign treasurer of a candidate after  
3164 the date at which the candidate withdraws his or her candidacy,  
3165 or after the date the candidate is defeated, becomes unopposed,  
3166 or is elected to office must be returned to the person or  
3167 committee contributing it and may not be used or expended by or  
3168 on behalf of the candidate.

3169           ~~(c) With respect to any campaign for an office in which an~~  
3170 ~~independent or minor party candidate has filed as required in s.~~  
3171 ~~99.0955 or s. 99.096, but whose qualification is pending a~~  
3172 ~~determination by the Department of State or supervisor of~~  
3173 ~~elections as to whether or not the required number of petition~~  
3174 ~~signatures was obtained:~~



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3175 ~~1. The department or supervisor shall, no later than 3 days~~  
3176 ~~after that determination has been made, notify in writing all~~  
3177 ~~other candidates for that office of that determination.~~

3178 ~~2. Any contribution received by a candidate or the campaign~~  
3179 ~~treasurer or deputy campaign treasurer of a candidate after the~~  
3180 ~~candidate has been notified in writing by the department or~~  
3181 ~~supervisor that he or she has become unopposed as a result of an~~  
3182 ~~independent or minor party candidate failing to obtain the~~  
3183 ~~required number of petition signatures shall be returned to the~~  
3184 ~~person, political committee, or committee of continuous~~  
3185 ~~existence contributing it and shall not be used or expended by~~  
3186 ~~or on behalf of the candidate.~~

3187 (6) (a) A political party may not accept any contribution  
3188 that has been specifically designated for the partial or  
3189 exclusive use of a particular candidate. Any contribution so  
3190 designated must be returned to the contributor and may not be  
3191 used or expended by or on behalf of the candidate.

3192 (b) 1. A political party may not accept any in-kind  
3193 contribution that fails to provide a direct benefit to the  
3194 political party. A "direct benefit" includes, but is not limited  
3195 to, fundraising or furthering the objectives of the political  
3196 party.

3197 2.a. An in-kind contribution to a state political party may  
3198 be accepted only by the chairperson of the state political party  
3199 or by the chairperson's designee or designees whose names are on  
3200 file with the division in a form acceptable to the division  
3201 prior to the date of the written notice required in sub-  
3202 subparagraph b. An in-kind contribution to a county political  
3203 party may be accepted only by the chairperson of the county



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3204 political party or by the county chairperson's designee or  
3205 designees whose names are on file with the supervisor of  
3206 elections of the respective county prior to the date of the  
3207 written notice required in sub-subparagraph b.

3208       b. A person making an in-kind contribution to a state  
3209 political party or county political party must provide prior  
3210 written notice of the contribution to a person described in sub-  
3211 subparagraph a. The prior written notice must be signed and  
3212 dated and may be provided by an electronic or facsimile message.  
3213 However, prior written notice is not required for an in-kind  
3214 contribution that consists of food and beverage in an aggregate  
3215 amount not exceeding \$1,500 which is consumed at a single  
3216 sitting or event if such in-kind contribution is accepted in  
3217 advance by a person specified in sub-subparagraph a.

3218       c. A person described in sub-subparagraph a. may accept an  
3219 in-kind contribution requiring prior written notice only in a  
3220 writing that is ~~signed and~~ dated before the in-kind contribution  
3221 is made. Failure to obtain the required written acceptance of an  
3222 in-kind contribution to a state or county political party  
3223 constitutes a refusal of the contribution.

3224       d. A copy of each prior written acceptance required under  
3225 sub-subparagraph c. must be filed ~~with the division~~ at the time  
3226 the regular reports of contributions and expenditures required  
3227 under s. 106.29 are filed by the state executive committee and  
3228 county executive committee. A state executive committee and an  
3229 affiliated party committee must file with the division. A county  
3230 executive committee must file with the county's supervisor of  
3231 elections.

3232       e. An in-kind contribution may not be given to a state or





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3233 county political party unless the in-kind contribution is made  
3234 as provided in this subparagraph.

3235 Section 62. Section 106.09, Florida Statutes, is amended to  
3236 read:

3237 106.09 Cash contributions and contribution by cashier's  
3238 checks.—

3239 (1) (a) A person may not make an aggregate ~~or accept~~ a cash  
3240 contribution or contribution by means of a cashier's check to  
3241 the same candidate or committee in excess of \$50 per election.

3242 (b) A person may not accept an aggregate cash contribution  
3243 or contribution by means of a cashier's check from the same  
3244 contributor in excess of \$50 per election.

3245 (2) (a) Any person who makes or accepts a contribution in  
3246 ~~excess of \$50 in~~ violation of subsection (1) ~~this section~~  
3247 commits a misdemeanor of the first degree, punishable as  
3248 provided in s. 775.082 or s. 775.083.

3249 (b) Any person who knowingly and willfully makes or accepts  
3250 a contribution in excess of \$5,000 in violation of subsection  
3251 (1) ~~this section~~ commits a felony of the third degree,  
3252 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3253 Section 63. Paragraph (b) of subsection (1) and paragraph  
3254 (a) of subsection (2) of section 106.11, Florida Statutes, are  
3255 amended, and subsection (6) is added to that section, to read:

3256 106.11 Expenses of and expenditures by candidates and  
3257 political committees.—Each candidate and each political  
3258 committee which designates a primary campaign depository  
3259 pursuant to s. 106.021(1) shall make expenditures from funds on  
3260 deposit in such primary campaign depository only in the  
3261 following manner, with the exception of expenditures made from



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3262 petty cash funds provided by s. 106.12:  
3263 (1)  
3264 (b) The checks for such account shall contain, as a  
3265 minimum, the following information:  
3266 1. The statement "~~Campaign Account of~~ ... (name of candidate  
3267 or political committee)... Campaign Account."  
3268 2. The account number and the name of the bank.  
3269 3. The exact amount of the expenditure.  
3270 4. The signature of the campaign treasurer or deputy  
3271 treasurer.  
3272 5. The exact purpose for which the expenditure is  
3273 authorized.  
3274 6. The name of the payee.  
3275 (2) (a) For purposes of this section, debit cards are  
3276 considered bank checks, if:  
3277 1. Debit cards are obtained from the same bank that has  
3278 been designated as the candidate's or political committee's  
3279 primary campaign depository.  
3280 2. Debit cards are issued in the name of the treasurer,  
3281 deputy treasurer, or authorized user and state "~~Campaign Account~~  
3282 ~~of~~ ... (name of candidate or political committee)... Campaign  
3283 Account."  
3284 3. No more than three debit cards are requested and issued.  
3285 ~~4. Before a debit card is used, a list of all persons~~  
3286 ~~authorized to use the card is filed with the division.~~  
3287 ~~5. All debit cards issued to a candidate's campaign or a~~  
3288 ~~political committee expire no later than midnight of the last~~  
3289 ~~day of the month of the general election.~~  
3290 ~~4.6.~~ The person using the debit card does not receive cash



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3291 as part of, or independent of, any transaction for goods or  
3292 services.

3293 5.7. All receipts for debit card transactions contain:

3294 a. The last four digits of the debit card number.

3295 b. The exact amount of the expenditure.

3296 c. The name of the payee.

3297 d. The signature of the campaign treasurer, deputy  
3298 treasurer, or authorized user.

3299 e. The exact purpose for which the expenditure is  
3300 authorized.

3301  
3302 Any information required by this subparagraph but not included  
3303 on the debit card transaction receipt may be handwritten on, or  
3304 attached to, the receipt by the authorized user before  
3305 submission to the treasurer.

3306 (6) A candidate who makes a loan to his or her campaign and  
3307 reports the loan as required by s. 106.07 may be reimbursed for  
3308 the loan at any time the campaign account has sufficient funds  
3309 to repay the loan and satisfy its other obligations.

3310 Section 64. Subsection (4) of section 106.141, Florida  
3311 Statutes, is amended to read:

3312 106.141 Disposition of surplus funds by candidates.—

3313 (4) (a) Except as provided in paragraph (b), any candidate  
3314 required to dispose of funds pursuant to this section shall, at  
3315 the option of the candidate, dispose of such funds by any of the  
3316 following means, or any combination thereof:

3317 1. Return pro rata to each contributor the funds that have  
3318 not been spent or obligated.

3319 2. Donate the funds that have not been spent or obligated



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3320 to a charitable organization or organizations that meet the  
3321 qualifications of s. 501(c)(3) of the Internal Revenue Code.

3322 3. Give ~~not more than \$10,000 of~~ the funds that have not  
3323 been spent or obligated to the political party of which such  
3324 candidate is a member, ~~except that a candidate for the Florida~~  
3325 ~~Senate may give not more than \$30,000 of such funds to the~~  
3326 ~~political party of which the candidate is a member.~~

3327 4. Give the funds that have not been spent or obligated:

3328 a. In the case of a candidate for state office, to the  
3329 state, to be deposited in either the Election Campaign Financing  
3330 Trust Fund or the General Revenue Fund, as designated by the  
3331 candidate; or

3332 b. In the case of a candidate for an office of a political  
3333 subdivision, to such political subdivision, to be deposited in  
3334 the general fund thereof.

3335 (b) Any candidate required to dispose of funds pursuant to  
3336 this section who has received contributions pursuant to ~~from~~ the  
3337 Florida Election Campaign Financing Act Trust Fund shall, after  
3338 all monetary commitments pursuant to s. 106.11(5)(b) and (c)  
3339 have been met, return all surplus campaign funds to the General  
3340 Revenue Election Campaign Financing Trust Fund.

3341 Section 65. Section 106.143, Florida Statutes, is amended  
3342 to read:

3343 106.143 Political advertisements circulated prior to  
3344 election; requirements.—

3345 (1)(a) Any political advertisement that is paid for by a  
3346 candidate, except a write-in candidate, and that is published,  
3347 displayed, or circulated before, or on the day of, any election  
3348 must prominently state:



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3349 1. "Political advertisement paid for and approved by  
3350 ...(name of candidate)..., ...(party affiliation)..., for  
3351 ...(office sought)..."; or

3352 2. "Paid by ...(name of candidate)..., ...(party  
3353 affiliation)..., for ...(office sought)..."

3354 (b) Any political advertisement that is paid for by a  
3355 write-in candidate and that is published, displayed, or  
3356 circulated before, or on the day of, any election must  
3357 prominently state:

3358 1. "Political advertisement paid for and approved by  
3359 ...(name of candidate)..., write-in candidate, for ...(office  
3360 sought)..."; or

3361 2. "Paid by ...(name of candidate)..., write-in candidate,  
3362 for ...(office sought)..."

3363 (c) ~~(b)~~ Any other political advertisement published,  
3364 displayed, or circulated before, or on the day of, any election  
3365 must prominently:

3366 1. Be marked "paid political advertisement" or with the  
3367 abbreviation "pd. pol. adv."

3368 2. State the name and address of the persons paying for  
3369 sponsoring the advertisement.

3370 3. ~~a. (I)~~ State whether the advertisement and the cost of  
3371 production is paid for or provided in kind by or at the expense  
3372 of the entity publishing, displaying, broadcasting, or  
3373 circulating the political advertisement. ~~;~~ or

3374 ~~(II) State who provided or paid for the advertisement and~~  
3375 ~~cost of production, if different from the source of sponsorship.~~

3376 ~~b. This subparagraph does not apply if the source of the~~  
3377 ~~sponsorship is patently clear from the content or format of the~~



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3378 ~~political advertisement.~~

3379 ~~(d)(e)~~ Any political advertisement made pursuant to s.  
3380 106.021(3) (d) must be marked ~~"paid political advertisement"~~ or  
3381 with the abbreviation ~~"pd. pol. adv."~~ and must prominently state  
3382 the name and address of the political committee or political  
3383 party paying for the advertisement., ~~"Paid for and sponsored by~~  
3384 ~~...(name of person paying for political advertisement)....~~  
3385 ~~Approved by ...(names of persons, party affiliation, and offices~~  
3386 ~~sought in the political advertisement)...."~~

3387 (2) Political advertisements made as in-kind contributions  
3388 from a political party must prominently state: "Paid political  
3389 advertisement paid for by in-kind by ...(name of political  
3390 party).... Approved by ...(name of person, party affiliation,  
3391 and office sought in the political advertisement)...."

3392 ~~(3)(2)~~ Any political advertisement of a candidate running  
3393 for partisan office shall express the name of the political  
3394 party of which the candidate is seeking nomination or is the  
3395 nominee. If the candidate for partisan office is running as a  
3396 candidate with no party affiliation, any political advertisement  
3397 of the candidate must state that the candidate has no party  
3398 affiliation. A political advertisement of a candidate running  
3399 for nonpartisan office may not state the candidate's political  
3400 party affiliation. This section does not prohibit a political  
3401 advertisement from stating the candidate's partisan-related  
3402 experience. A candidate for nonpartisan office is prohibited  
3403 from campaigning based on party affiliation.

3404 ~~(4)(3)~~ It is unlawful for any candidate or person on behalf  
3405 of a candidate to represent that any person or organization  
3406 supports such candidate, unless the person or organization so



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3407 represented has given specific approval in writing to the  
3408 candidate to make such representation. However, this subsection  
3409 does not apply to:

3410 (a) Editorial endorsement by any newspaper, radio or  
3411 television station, or other recognized news medium.

3412 (b) Publication by a party committee advocating the  
3413 candidacy of its nominees.

3414 ~~(5)~~~~(4)~~(a) Any political advertisement not paid for by a  
3415 candidate, including those paid for by a political party, other  
3416 than an independent expenditure, offered ~~by or~~ on behalf of a  
3417 candidate must be approved in advance by the candidate. Such  
3418 political advertisement must expressly state that the content of  
3419 the advertisement was approved by the candidate, unless the  
3420 political advertisement is published, displayed, or circulated  
3421 in compliance with subparagraph (1)(a)2., and must state who  
3422 paid for the advertisement. The candidate shall provide a  
3423 written statement of authorization to the newspaper, radio  
3424 station, television station, or other medium for each such  
3425 advertisement submitted for publication, display, broadcast, or  
3426 other distribution.

3427 (b) Any person who makes an independent expenditure for a  
3428 political advertisement shall provide a written statement that  
3429 no candidate has approved the advertisement to the newspaper,  
3430 radio station, television station, or other medium for each such  
3431 advertisement submitted for publication, display, broadcast, or  
3432 other distribution. The advertisement must also contain a  
3433 statement that no candidate has approved the advertisement.

3434 ~~(c) This subsection does not apply to campaign messages~~  
3435 ~~used by a candidate and his or her supporters if those messages~~



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3436 ~~are designed to be worn by a person.~~

3437 (6)~~(5)~~ No political advertisement of a candidate who is not  
3438 an incumbent of the office for which the candidate is running  
3439 shall use the word "re-elect." Additionally, such advertisement  
3440 must include the word "for" between the candidate's name and the  
3441 office for which the candidate is running, in order that  
3442 incumbency is not implied. This subsection does not apply to  
3443 bumper stickers or items designed to be worn by a person.

3444 (7) Political advertisements paid for by a political party  
3445 or an affiliated party committee may use names and abbreviations  
3446 as registered under s. 103.081 in the disclaimer.

3447 (8)~~(6)~~ This section does not apply to novelty items having  
3448 a retail value of \$10 or less which support, but do not oppose,  
3449 a candidate or issue.

3450 (9)~~(7)~~ Any political advertisement which is published,  
3451 displayed, or produced in a language other than English may  
3452 provide the information required by this section in the language  
3453 used in the advertisement.

3454 (10)~~(8)~~ This section does not apply to any campaign message  
3455 or political advertisement used by a candidate and the  
3456 candidate's supporters or by a political committee if the  
3457 message or advertisement is:

3458 (a) Designed to be worn by a person.

3459 (b) Placed as a paid link on an Internet website, provided  
3460 the message or advertisement is no more than 200 characters in  
3461 length and the link directs the user to another Internet website  
3462 that complies with subsection (1).

3463 (c) Placed as a graphic or picture link where compliance  
3464 with the requirements of this section is not reasonably





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3465 practical due to the size of the graphic or picture link and the  
3466 link directs the user to another Internet website that complies  
3467 with subsection (1).

3468 (d) Placed at no cost on an Internet website for which  
3469 there is no cost to post content for public users.

3470 (e) Placed or distributed on an unpaid profile or account  
3471 which is available to the public without charge or on a social  
3472 networking Internet website, as long as the source of the  
3473 message or advertisement is patently clear from the content or  
3474 format of the message or advertisement. A candidate or political  
3475 committee may prominently display a statement indicating that  
3476 the website or account is an official website or account of the  
3477 candidate or political committee and is approved by the  
3478 candidate or political committee. A website or account may not  
3479 be marked as official without prior approval by the candidate or  
3480 political committee.

3481 (f) Distributed as a text message or other message via  
3482 Short Message Service, provided the message is no more than 200  
3483 characters in length or requires the recipient to sign up or opt  
3484 in to receive it.

3485 (g) Connected with or included in any software application  
3486 or accompanying function, provided that the user signs up, opts  
3487 in, downloads, or otherwise accesses the application from or  
3488 through a website that complies with subsection (1).

3489 (h) Sent by a third-party user from or through a campaign  
3490 or committee's website, provided the website complies with  
3491 subsection (1).

3492 (i) Contained in or distributed through any other  
3493 technology-related item, service, or device for which compliance



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3494 with subsection (1) is not reasonably practical due to the size  
3495 or nature of such item, service, or device as available, or the  
3496 means of displaying the message or advertisement makes  
3497 compliance with subsection (1) impracticable.

3498 (11)-(9) Any person who willfully violates any provision of  
3499 this section is subject to the civil penalties prescribed in s.  
3500 106.265.

3501 Section 66. Section 106.1437, Florida Statutes, is amended  
3502 to read:

3503 106.1437 Miscellaneous advertisements.—Any advertisement,  
3504 other than a political advertisement, independent expenditure,  
3505 or electioneering communication, on billboards, bumper stickers,  
3506 radio, or television, or in a newspaper, a magazine, or a  
3507 periodical, intended to influence public policy or the vote of a  
3508 public official, shall clearly designate the sponsor of such  
3509 advertisement by including a clearly readable statement of  
3510 sponsorship. If the advertisement is broadcast on television,  
3511 the advertisement shall also contain a verbal statement of  
3512 sponsorship. This section does ~~shall~~ not apply to an editorial  
3513 endorsement. For purposes of this chapter, an expenditure made  
3514 for, or in furtherance of, a miscellaneous advertisement is not  
3515 considered to be a contribution to or on behalf of a candidate,  
3516 and does not constitute an independent expenditure. Such  
3517 expenditures are not subject to the limitations applicable to  
3518 independent expenditures.

3519 Section 67. Section 106.17, Florida Statutes, is amended to  
3520 read:

3521 106.17 Polls and surveys relating to candidacies.—Any  
3522 candidate, political committee, committee of continuous



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3523 existence, electioneering communication organization, or state  
3524 or county executive committee of a political party may authorize  
3525 or conduct a political poll, survey, index, or measurement of  
3526 any kind relating to candidacy for public office so long as the  
3527 candidate, political committee, committee of continuous  
3528 existence, electioneering communication organization, or  
3529 political party maintains complete jurisdiction over the poll in  
3530 all its aspects. State and county executive committees of a  
3531 political party or an affiliated party committee may authorize  
3532 and conduct political polls for the purpose of determining the  
3533 viability of potential candidates. Such poll results may be  
3534 shared with potential candidates, and expenditures incurred by  
3535 state and county executive committees or an affiliated party  
3536 committee for potential candidate polls are not contributions to  
3537 the potential candidates.

3538 Section 68. Subsection (4) is added to section 106.19,  
3539 Florida Statutes, to read:

3540 106.19 Violations by candidates, persons connected with  
3541 campaigns, and political committees.-

3542 (4) Except as otherwise expressly stated, the failure by a  
3543 candidate to comply with the requirements of this chapter has no  
3544 effect upon whether the candidate has qualified for the office  
3545 the candidate is seeking.

3546 Section 69. Subsections (2) and (3), paragraph (i) of  
3547 subsection (4), and subsection (5) of section 106.25, Florida  
3548 Statutes, are amended to read:

3549 106.25 Reports of alleged violations to Florida Elections  
3550 Commission; disposition of findings.-

3551 (2) The commission shall investigate all violations of this



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3552 chapter and chapter 104, but only after having received either a  
3553 sworn complaint or information reported to it under this  
3554 subsection by the Division of Elections. Such sworn complaint  
3555 must be based upon personal information or information other  
3556 than hearsay. Any person, other than the division, having  
3557 information of any violation of this chapter or chapter 104  
3558 shall file a sworn complaint with the commission. The commission  
3559 shall investigate only those alleged violations specifically  
3560 contained within the sworn complaint. If any complainant fails  
3561 to allege all violations that arise from the facts or  
3562 allegations alleged in a complaint, the commission shall be  
3563 barred from investigating a subsequent complaint from such  
3564 complainant that is based upon such facts or allegations that  
3565 were raised or could have been raised in the first complaint. If  
3566 the complaint includes allegations of violations relating to  
3567 expense items reimbursed by a candidate, committee, or  
3568 organization to the campaign account before a sworn complaint is  
3569 filed, the commission shall be barred from investigating such  
3570 allegations. Such sworn complaint shall state whether a  
3571 complaint of the same violation has been made to any state  
3572 attorney. Within 5 days after receipt of a sworn complaint, the  
3573 commission shall transmit a copy of the complaint to the alleged  
3574 violator. The respondent shall have 14 days after receipt of the  
3575 complaint to file an initial response, and the executive  
3576 director may not determine the legal sufficiency of the  
3577 complaint during that time period. If the executive director  
3578 finds that the complaint is legally sufficient, the respondent  
3579 shall be notified of such finding by letter, which sets forth  
3580 the statutory provisions alleged to have been violated and the



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3581 alleged factual basis that supports the finding. All sworn  
3582 complaints alleging violations of the Florida Election Code over  
3583 which the commission has jurisdiction shall be filed with the  
3584 commission within 2 years after the alleged violations. The  
3585 period of limitations is tolled on the day a sworn complaint is  
3586 filed with the commission. The complainant may withdraw the  
3587 sworn complaint at any time prior to a probable cause hearing if  
3588 good cause is shown. Withdrawal shall be requested in writing,  
3589 signed by the complainant, and witnessed by a notary public,  
3590 stating the facts and circumstances constituting good cause. The  
3591 executive director shall prepare a written recommendation  
3592 regarding disposition of the request which shall be given to the  
3593 commission together with the request. "Good cause" shall be  
3594 determined based upon the legal sufficiency or insufficiency of  
3595 the complaint to allege a violation and the reasons given by the  
3596 complainant for wishing to withdraw the complaint. If withdrawal  
3597 is permitted, the commission must close the investigation and  
3598 the case. No further action may be taken. The complaint will  
3599 become a public record at the time of withdrawal.

3600 (3) For the purposes of commission jurisdiction, a  
3601 violation shall mean the willful performance of an act  
3602 prohibited by this chapter or chapter 104 or the willful failure  
3603 to perform an act required by this chapter or chapter 104. The  
3604 commission may not by rule determine what constitutes  
3605 willfulness or further define the term "willful" for purposes of  
3606 this chapter or chapter 104. Willfulness is a determination of  
3607 fact; however, at the request of the respondent at any time  
3608 after probable cause is found, willfulness may be considered and  
3609 determined in an informal hearing before the commission.



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3610 (4) The commission shall undertake a preliminary  
3611 investigation to determine if the facts alleged in a sworn  
3612 complaint or a matter initiated by the division constitute  
3613 probable cause to believe that a violation has occurred.

3614 (i)1. Upon a commission finding of probable cause, the  
3615 counsel for the commission shall attempt to reach a consent  
3616 agreement with the respondent. At any time, the commission may  
3617 enter into a consent order with a respondent without requiring  
3618 the respondent to admit to a violation of law within the  
3619 jurisdiction of the commission.

3620 2. A consent agreement is not binding upon either party  
3621 unless and until it is signed by the respondent and by counsel  
3622 for the commission upon approval by the commission.

3623 3. Nothing herein shall be construed to prevent the  
3624 commission from entering into a consent agreement with a  
3625 respondent prior to a commission finding of probable cause if a  
3626 respondent indicates in writing a desire to enter into  
3627 negotiations directed towards reaching such a consent agreement.  
3628 Any consent agreement reached under this subparagraph is subject  
3629 to the provisions of subparagraph 2. and shall have the same  
3630 force and effect as a consent agreement reached after the  
3631 commission finding of probable cause.

3632  
3633 In a case where probable cause is found, the commission shall  
3634 make a preliminary determination to consider the matter or to  
3635 refer the matter to the state attorney for the judicial circuit  
3636 in which the alleged violation occurred. Notwithstanding any  
3637 other provisions of this section, the commission may, at its  
3638 discretion, dismiss any complaint at any stage of disposition if



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3639 it determines that the public interest would not be served by  
3640 proceeding further, in which case the commission shall issue a  
3641 public report stating with particularity its reasons for the  
3642 dismissal.

3643 (5) ~~Unless~~ A person alleged by the Elections Commission to  
3644 have committed a violation of this chapter or chapter 104 may  
3645 elect, as a matter of right elects, within 30 days after the  
3646 date of the filing of the commission's allegations, to have a  
3647 formal administrative or informal hearing conducted ~~before the~~  
3648 ~~commission, or elects to resolve the complaint by consent order,~~  
3649 ~~such person shall be entitled to a formal administrative hearing~~  
3650 ~~conducted~~ by an administrative law judge in the Division of  
3651 Administrative Hearings. The administrative law judge in such  
3652 proceedings shall enter a final order, which may include the  
3653 imposition of civil penalties, subject to appeal as provided in  
3654 s. 120.68. If the person does not elect to have a hearing by an  
3655 administrative law judge and does not elect to resolve the  
3656 complaint by a consent order, the person is entitled to a formal  
3657 or informal hearing conducted before the commission.

3658 Section 70. Subsection (1) of section 106.26, Florida  
3659 Statutes, is amended to read:

3660 106.26 Powers of commission; rights and responsibilities of  
3661 parties; findings by commission.-

3662 (1) The commission shall, pursuant to rules adopted and  
3663 published in accordance with chapter 120, consider all sworn  
3664 complaints filed with it and all matters reported to it by the  
3665 Division of Elections. In order to carry out the  
3666 responsibilities prescribed by this chapter, the commission is  
3667 empowered to subpoena and bring before it, or its duly



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3668 authorized representatives, any person in the state, or any  
3669 person doing business in the state, or any person who has filed  
3670 or is required to have filed any application, document, papers,  
3671 or other information with an office or agency of this state or a  
3672 political subdivision thereof and to require the production of  
3673 any papers, books, or other records relevant to any  
3674 investigation, including the records and accounts of any bank or  
3675 trust company doing business in this state. Duly authorized  
3676 representatives of the commission are empowered to administer  
3677 all oaths and affirmations in the manner prescribed by law to  
3678 witnesses who shall appear before them concerning any relevant  
3679 matter. Should any witness fail to respond to the lawful  
3680 subpoena of the commission or, having responded, fail to answer  
3681 all lawful inquiries or to turn over evidence that has been  
3682 subpoenaed, the commission may file a complaint in the ~~before~~  
3683 ~~any~~ circuit court where the witness resides ~~of the state~~ setting  
3684 up such failure on the part of the witness. On the filing of  
3685 such complaint, the court shall take jurisdiction of the witness  
3686 and the subject matter of said complaint and shall direct the  
3687 witness to respond to all lawful questions and to produce all  
3688 documentary evidence in the witness's possession which is  
3689 lawfully demanded. The failure of any witness to comply with  
3690 such order of the court shall constitute a direct and criminal  
3691 contempt of court, and the court shall punish said witness  
3692 accordingly. However, the refusal by a witness to answer  
3693 inquiries or turn over evidence on the basis that such testimony  
3694 or material will tend to incriminate such witness shall not be  
3695 deemed refusal to comply with the provisions of this chapter.  
3696 The sheriffs in the several counties shall make such service and





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3697 execute all process or orders when required by the commission.  
3698 Sheriffs shall be paid for these services by the commission as  
3699 provided for in s. 30.231. Any person who is served with a  
3700 subpoena to attend a hearing of the commission also shall be  
3701 served with a general statement informing him or her of the  
3702 subject matter of the commission's investigation or inquiry and  
3703 a notice that he or she may be accompanied at the hearing by  
3704 counsel of his or her own choosing.

3705 Section 71. Subsections (1) through (4) of section 106.265,  
3706 Florida Statutes, are amended and renumbered, and present  
3707 subsection (5) of that section is renumbered as subsection (6),  
3708 to read:

3709 106.265 Civil penalties.—

3710 (1) The commission or, in cases referred to the Division of  
3711 Administrative Hearings pursuant to s. 106.25(5), the  
3712 administrative law judge is authorized upon the finding of a  
3713 violation of this chapter or chapter 104 to impose civil  
3714 penalties in the form of fines not to exceed \$1,000 per count,  
3715 or, if applicable, to impose a civil penalty as provided in s.  
3716 104.271 or s. 106.19.

3717 (2) In determining the amount of such civil penalties, the  
3718 commission or administrative law judge shall consider, among  
3719 other mitigating and aggravating circumstances:

3720 (a) The gravity of the act or omission;

3721 (b) Any previous history of similar acts or omissions;

3722 (c) The appropriateness of such penalty to the financial  
3723 resources of the person, political committee, committee of  
3724 continuous existence, electioneering communications  
3725 organization, or political party; and



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3726 (d) Whether the person, political committee, committee of  
3727 continuous existence, electioneering communications  
3728 organization, or political party has shown good faith in  
3729 attempting to comply with the provisions of this chapter or  
3730 chapter 104.

3731 ~~(3)(2)~~ If any person, political committee, committee of  
3732 continuous existence, electioneering communications  
3733 organization, or political party fails or refuses to pay to the  
3734 commission any civil penalties assessed pursuant to the  
3735 provisions of this section, the commission shall be responsible  
3736 for collecting the civil penalties resulting from such action.

3737 ~~(4)(3)~~ Any civil penalty collected pursuant to the  
3738 provisions of this section shall be deposited into the General  
3739 Revenue Fund ~~Election Campaign Financing Trust Fund~~.

3740 ~~(5)(4)~~ ~~Notwithstanding any other provisions of this~~  
3741 ~~chapter,~~ Any fine assessed pursuant to ~~the provisions of this~~  
3742 ~~chapter shall,~~ ~~which fine is designated to be deposited or which~~  
3743 ~~would otherwise be deposited into the General Revenue Fund of~~  
3744 ~~the state, shall be deposited into the Election Campaign~~  
3745 ~~Financing Trust Fund.~~

3746 Section 72. Subsection (1) and paragraph (b) of subsection  
3747 (3) of section 106.29, Florida Statutes, are amended to read:

3748 106.29 Reports by political parties; restrictions on  
3749 contributions and expenditures; penalties.-

3750 (1) The state executive committee and each county executive  
3751 committee of each political party regulated by chapter 103 shall  
3752 file regular reports of all contributions received and all  
3753 expenditures made by such committee. However, the reports need  
3754 not include contributions and expenditures that are reported to



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3755 the Federal Election Commission. In addition, when a special  
3756 election is called to fill a vacancy in office, each state  
3757 executive committee, each affiliated party committee, and each  
3758 county executive committee making contributions or expenditures  
3759 to influence the results of the special election or the  
3760 preceding special primary election must file campaign  
3761 treasurers' reports on the dates set by the Department of State  
3762 pursuant to s. 100.111. Such reports shall contain the same  
3763 information as do reports required of candidates by s. 106.07  
3764 and shall be filed on the 10th day following the end of each  
3765 calendar quarter, except that, during the period from the last  
3766 day for candidate qualifying until the general election, such  
3767 reports shall be filed on the Friday immediately preceding each  
3768 special primary election, special election, ~~both the~~ primary  
3769 election, and ~~the~~ general election. In addition to the reports  
3770 filed under this section, the state executive committee and each  
3771 county executive committee shall file a copy of each prior  
3772 written acceptance of an in-kind contribution given by the  
3773 committee during the preceding calendar quarter as required  
3774 under s. 106.08(6). Each state executive committee shall file  
3775 ~~the original and one copy of~~ its reports with the Division of  
3776 Elections. Each county executive committee shall file its  
3777 reports with the supervisor of elections in the county in which  
3778 such committee exists. Any state or county executive committee  
3779 failing to file a report on the designated due date shall be  
3780 subject to a fine as provided in subsection (3). No separate  
3781 fine shall be assessed for failure to file a copy of any report  
3782 required by this section.

3783 (3)



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3784 (b) Upon determining that a report is late, the filing  
3785 officer shall immediately notify the chair of the executive  
3786 committee as to the failure to file a report by the designated  
3787 due date and that a fine is being assessed for each late day.  
3788 The fine shall be \$1,000 for a state executive committee, and  
3789 \$50 for a county executive committee, per day for each late day,  
3790 not to exceed 25 percent of the total receipts or expenditures,  
3791 whichever is greater, for the period covered by the late report.  
3792 However, if an executive committee fails to file a report on the  
3793 Friday immediately preceding the special election or general  
3794 election, the fine shall be \$10,000 per day for each day a state  
3795 executive committee is late and \$500 per day for each day a  
3796 county executive committee is late. Upon receipt of the report,  
3797 the filing officer shall determine the amount of the fine which  
3798 is due and shall notify the chair. Notice is deemed complete  
3799 upon proof of delivery of written notice to the mailing or  
3800 street address on record with the filing officer. The filing  
3801 officer shall determine the amount of the fine due based upon  
3802 the earliest of the following:

- 3803 1. When the report is actually received by such officer.  
3804 2. When the report is postmarked.  
3805 3. When the certificate of mailing is dated.  
3806 4. When the receipt from an established courier company is  
3807 dated.  
3808 5. When the electronic receipt issued pursuant to s.  
3809 106.0705 is dated.

3810  
3811 Such fine shall be paid to the filing officer within 20 days  
3812 after receipt of the notice of payment due, unless appeal is



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3813 made to the Florida Elections Commission pursuant to paragraph  
3814 (c). An officer or member of an executive committee shall not be  
3815 personally liable for such fine.

3816 Section 73. Subsection (5) of section 106.35, Florida  
3817 Statutes, is amended to read:

3818 106.35 Distribution of funds.—

3819 (5) The division shall adopt rules providing for the weekly  
3820 reports and certification and distribution of funds pursuant  
3821 thereto required by this section. Such rules shall, at a  
3822 minimum, provide for:

3823 ~~(a) Specifications for printed campaign treasurer's reports~~  
3824 ~~outlining the format for such reports, including size of paper,~~  
3825 ~~typeface, color of print, and placement of required information~~  
3826 ~~on the form.~~

3827 ~~(b)1.~~ specifications for electronically transmitted  
3828 campaign treasurer's reports outlining communication parameters  
3829 and protocol, data record formats, and provisions for ensuring  
3830 security of data and transmission.

3831 ~~2. All electronically transmitted campaign treasurer's~~  
3832 ~~reports must also be filed in printed format. Printed format~~  
3833 ~~shall not include campaign treasurer's reports submitted by~~  
3834 ~~electronic facsimile transmission.~~

3835 Section 74. Paragraph (b) of subsection (12) of section  
3836 112.312, Florida Statutes, is amended to read:

3837 112.312 Definitions.—As used in this part and for purposes  
3838 of the provisions of s. 8, Art. II of the State Constitution,  
3839 unless the context otherwise requires:

3840 (12)

3841 (b) "Gift" does not include:



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3842           1. Salary, benefits, services, fees, commissions, gifts, or  
3843 expenses associated primarily with the donee's employment,  
3844 business, or service as an officer or director of a corporation  
3845 or organization.

3846           2. Contributions or expenditures reported pursuant to  
3847 chapter 106, contributions or expenditures reported pursuant to  
3848 federal election law, campaign-related personal services  
3849 provided without compensation by individuals volunteering their  
3850 time, or any other contribution or expenditure by a political  
3851 party.

3852           3. An honorarium or an expense related to an honorarium  
3853 event paid to a person or the person's spouse.

3854           4. An award, plaque, certificate, or similar personalized  
3855 item given in recognition of the donee's public, civic,  
3856 charitable, or professional service.

3857           5. An honorary membership in a service or fraternal  
3858 organization presented merely as a courtesy by such  
3859 organization.

3860           6. The use of a public facility or public property, made  
3861 available by a governmental agency, for a public purpose.

3862           7. Transportation provided to a public officer or employee  
3863 by an agency in relation to officially approved governmental  
3864 business.

3865           8. Gifts provided directly or indirectly by a state,  
3866 regional, or national organization which promotes the exchange  
3867 of ideas between, or the professional development of,  
3868 governmental officials or employees, and whose membership is  
3869 primarily composed of elected or appointed public officials or  
3870 staff, to members of that organization or officials or staff of



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3871 a governmental agency that is a member of that organization.

3872 Section 75. Paragraph (d) of subsection (1) of section  
3873 112.3215, Florida Statutes, is amended to read:

3874 112.3215 Lobbying before the executive branch or the  
3875 Constitution Revision Commission; registration and reporting;  
3876 investigation by commission.—

3877 (1) For the purposes of this section:

3878 (d) "Expenditure" means a payment, distribution, loan,  
3879 advance, reimbursement, deposit, or anything of value made by a  
3880 lobbyist or principal for the purpose of lobbying. The term  
3881 "expenditure" does not include contributions or expenditures  
3882 reported pursuant to chapter 106 or contributions or  
3883 expenditures reported pursuant to federal election law,  
3884 campaign-related personal services provided without compensation  
3885 by individuals volunteering their time, any other contribution  
3886 or expenditure made by or to a political party, or any other  
3887 contribution or expenditure made by an organization that is  
3888 exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4).

3889 Section 76. Subsection (1) of section 876.05, Florida  
3890 Statutes, is amended to read:

3891 876.05 Public employees; oath.—

3892 (1) All persons who now or hereafter are employed by or who  
3893 now or hereafter are on the payroll of the state, or any of its  
3894 departments and agencies, subdivisions, counties, cities, school  
3895 boards and districts of the free public school system of the  
3896 state or counties, or institutions of higher learning, ~~and all~~  
3897 ~~candidates for public office,~~ except candidates for federal  
3898 office, are required to take an oath before any person duly  
3899 authorized to take acknowledgments of instruments for public



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3900 record in the state in the following form:

3901  
3902 I, ....., a citizen of the State of Florida and of the  
3903 United States of America, and being employed by or an officer of  
3904 .... and a recipient of public funds as such employee or  
3905 officer, do hereby solemnly swear or affirm that I will support  
3906 the Constitution of the United States and of the State of  
3907 Florida.

3908 Section 77. Section 876.07, Florida Statutes, is repealed.

3909 Section 78. If any provision of this act or its application  
3910 to any person or circumstance is held invalid, the invalidity  
3911 does not affect other provisions or applications of the act  
3912 which can be given effect without the invalid provision or  
3913 application, and to this end the provisions of this act are  
3914 severable.

3915 Section 79. Except as otherwise expressly provided in this  
3916 act, this act shall take effect upon becoming a law.

3917  
3918 ===== T I T L E A M E N D M E N T =====

3919 And the title is amended as follows:

3920 Delete everything before the enacting clause  
3921 and insert:

3922 A bill to be entitled  
3923 An act relating to elections; amending s. 97.012,  
3924 F.S.; expanding the list of responsibilities of the  
3925 Secretary of State when acting in his or her capacity  
3926 as chief election officer; amending s. 97.021, F.S.;  
3927 redefining the term "minor political party"; amending  
3928 s. 97.025, F.S.; replacing a requirement for the





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3929 Department of State to print copies of a pamphlet  
3930 containing the Election Code with a requirement that  
3931 the pamphlet be made available; amending s. 97.0575,  
3932 F.S.; requiring that third-party voter registration  
3933 organizations register with the Division of Elections  
3934 and provide the division with certain information;  
3935 requiring that the division or a supervisor of  
3936 elections make voter registration forms available to  
3937 third-party voter registration organizations;  
3938 requiring that such forms contain certain information;  
3939 requiring that the division maintain a database of  
3940 certain information; requiring supervisors of  
3941 elections to provide specified information to the  
3942 division in a format and at times required by the  
3943 division; requiring that such information be updated  
3944 and made public daily at a specified time; requiring  
3945 third-party voter registration organizations to  
3946 deliver collected voter registration applications  
3947 within a specified period; revising penalty provisions  
3948 to conform; specifying grounds for an affirmative  
3949 defense to a violation of timely submission  
3950 requirements; providing for the referral of violations  
3951 to the Attorney General; authorizing the Attorney  
3952 General to initiate a civil action; providing that an  
3953 action for relief may include a permanent or temporary  
3954 injunction, a restraining order, or any other  
3955 appropriate order; requiring that the division adopt  
3956 rules for specified purposes; providing for  
3957 retroactive application of certain requirements



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3958 applicable to third-party voter registration  
3959 organizations; deleting provisions providing for fines  
3960 to be in addition to criminal penalties; deleting  
3961 provisions providing a continuing appropriation of the  
3962 proceeds of fines; amending s. 97.071, F.S.; requiring  
3963 that voter information cards contain the address of  
3964 the polling place of the registered voter; requiring a  
3965 supervisor of elections to issue a new voter  
3966 information card to a voter upon a change in a voter's  
3967 address of legal residence or a change in a voter's  
3968 polling place address; providing instructions for  
3969 implementation by the supervisors of elections;  
3970 amending s. 97.073, F.S.; requiring a supervisor to  
3971 notify an applicant within 5 business days regarding  
3972 disposition of the voter registration applications;  
3973 amending s. 97.1031, F.S.; revising the methods by  
3974 which a person must update his or her voter  
3975 registration due to a change of address; revising  
3976 procedures for an elector to change his or her party  
3977 affiliation; requiring an elector to notify the  
3978 supervisor of elections when the elector changes his  
3979 or her name; amending s. 98.075, F.S.; revising  
3980 procedures for the removal of deceased persons and  
3981 other potentially ineligible persons from the  
3982 statewide voter registration system; amending s.  
3983 98.093, F.S.; revising requirements for the Department  
3984 of Corrections to provide the Department of State with  
3985 information relating to convicted felons; requiring  
3986 the Florida Parole Commission to regularly furnish



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3987 data to the Department of State relating to persons  
3988 who have been granted clemency; amending s. 98.0981,  
3989 F.S.; providing timeframes and formats for voting  
3990 history information to be sent by the supervisors of  
3991 elections to the department; providing timeframes and  
3992 formats for voting history information to be sent by  
3993 the department to the President of the Senate, the  
3994 Speaker of the House of Representatives, and the  
3995 respective minority leaders; requiring submission of  
3996 precinct-level information in a certain format by a  
3997 time certain; amending s. 99.012, F.S.; providing that  
3998 a person may not be qualified as a candidate for an  
3999 election or appear on the ballot unless the person  
4000 complies with certain requirements; amending s.  
4001 99.021, F.S.; revising the candidate oath requirement  
4002 for a person seeking to qualify for nomination or  
4003 election or as a candidate of a political party;  
4004 removing a requirement for the qualifying officer to  
4005 provide a printed copy of the candidate oath; removing  
4006 a requirement for taking the public employee oath;  
4007 clarifying that candidates for Unites States President  
4008 and Vice President need not subscribe certain oaths;  
4009 correcting references for other oaths; amending s.  
4010 99.061, F.S.; revising the timeframe for a candidate  
4011 to pay a qualifying fee under certain circumstances;  
4012 requiring checks to be payable as prescribed by the  
4013 filing officer; requiring signatures on certain oaths  
4014 to be verified; removing a requirement for a public  
4015 employee oath; requiring the filing of a verified



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4016 notarized financial disclosure statement; clarifying  
4017 the time for qualifying papers to be received;  
4018 providing that the qualifying officer performs a  
4019 ministerial duty only; exempting a decision by the  
4020 qualifying officer from the Administrative Procedure  
4021 Act; amending s. 99.063, F.S.; requiring a candidate's  
4022 oath to be verified; deleting a requirement for a  
4023 candidate to file a loyalty oath with the Department  
4024 of State by a certain date; amending s. 99.092, F.S.;  
4025 providing for the transfer of the election assessment  
4026 to the Elections Commission Trust Fund; amending s.  
4027 99.093, F.S.; providing for the election assessments  
4028 paid by a person seeking to qualify for a municipal  
4029 office to be forwarded by the qualifying officer to  
4030 the Florida Elections Commission; amending s. 99.095,  
4031 F.S.; allowing a candidate to obtain the required  
4032 number of signatures from any registered voter  
4033 regardless of district boundaries in a year of  
4034 apportionment; amending s. 99.097, F.S.; providing for  
4035 the Department of State to adopt rules to verify  
4036 petitions through random sampling; creating exceptions  
4037 for certain petitions from the authorization to use  
4038 random sampling to verify petitions; revising criteria  
4039 that a supervisor of elections must use to determine  
4040 whether a petition may be counted as valid; providing  
4041 that an exemption from paying fees to verify petitions  
4042 does not apply if a person has been paid to solicit  
4043 signatures; providing that contributions received  
4044 after the filing of an undue burden oath must first be



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4045 used to pay fees for verifying petitions; amending s.  
4046 100.061, F.S.; increasing the time period between a  
4047 primary election and a general election; amending s.  
4048 100.101, F.S.; conforming a provision to changes made  
4049 by the act; amending s. 100.111, F.S.; deleting  
4050 provisions relating to vacancies in a state or county  
4051 office because an incumbent qualified as a candidate  
4052 for federal office; providing for a filing officer,  
4053 rather than the Department of State, to notify a  
4054 political party that it may nominate a person for  
4055 office if certain events cause the party to have a  
4056 vacancy in nomination; revising provisions relating to  
4057 the filling of a vacancy in a nomination; deleting a  
4058 defined term; providing that a vacancy in nomination  
4059 is not created as the result of certain court orders;  
4060 amending s. 100.371, F.S.; deleting provisions  
4061 relating to a right to revoke a signature on an  
4062 initiative petition; reducing the time period for  
4063 which a signed and dated initiative petition form is  
4064 valid; requiring an initiative sponsor to submit an  
4065 initiative form to the supervisor of elections for the  
4066 county of residence of the person signing the form for  
4067 verification; providing procedures for misfiled  
4068 petitions; revising criteria for a supervisor of  
4069 elections to verify a signature on an initiative  
4070 petition form; deleting provisions relating to  
4071 petition signature revocations; amending s. 101.001,  
4072 F.S.; requiring the supervisors of elections to  
4073 provide the department with precinct data including



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4074 specified information; requiring the department to  
4075 maintain a searchable database containing certain  
4076 precinct and census block information; requiring  
4077 supervisors of elections to notify the department of  
4078 precinct changes within a specified time; deleting a  
4079 waiver; amending s. 101.043, F.S.; replacing  
4080 references to the word "voter" with "elector";  
4081 providing that the address on an elector's  
4082 identification may not be used to confirm or challenge  
4083 an elector's legal residence; prohibiting a clerk or  
4084 inspector from requesting additional information from  
4085 a person once the person has presented his or her  
4086 picture identification; amending s. 101.045, F.S.;  
4087 permitting a change of residence at the polling place  
4088 for a person changing residence within a county;  
4089 providing that a person whose change of address is  
4090 from outside the county may not change his or her  
4091 legal residence at the polling place or vote a regular  
4092 ballot but may vote a provisional ballot; providing an  
4093 exception; amending s. 101.131, F.S.; revising  
4094 procedures for the designation of poll watchers;  
4095 requiring that the Division of Elections prescribe a  
4096 form for the designation of poll watchers; providing  
4097 conditions under which poll watchers are authorized to  
4098 enter polling areas and watch polls; requiring that a  
4099 supervisor of elections provide identification to poll  
4100 watchers by a specified period before early voting  
4101 begins; requiring that poll watchers display such  
4102 identification while in a polling place; amending s.



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4103 101.151, F.S.; authorizing the use of ballot-on-demand  
4104 technology to produce election-day ballots; deleting a  
4105 requirement that the use of such technology be  
4106 authorized in writing by the Secretary of State;  
4107 revising provisions relating to ballot headings and  
4108 the order of candidates appearing on a ballot;  
4109 amending s. 101.161, F.S.; requiring the Department of  
4110 State to provide the supervisors of elections either a  
4111 ballot summary to a joint resolution to amend the  
4112 State Constitution or the full text of the amendment  
4113 or revision if a ballot summary is not included in the  
4114 joint resolution; providing that a joint resolution  
4115 may include multiple ballot statements set forth in  
4116 order of priority; providing requirements for ballot  
4117 statements; detailing responsibilities of the  
4118 Department of State with respect to providing ballot  
4119 information to supervisors of elections; prescribing  
4120 the styling of ballot statements; specifying a time  
4121 period and procedures to initiate an action to  
4122 challenge an amendment to the State Constitution  
4123 proposed by the Legislature; requiring the court,  
4124 including an appellate court, to accord the case  
4125 priority over other cases; requiring the Attorney  
4126 General to revise a ballot title or ballot summary for  
4127 an amendment proposed by the Legislature under certain  
4128 circumstances; requiring the Department of State to  
4129 forward modified ballot language to supervisors of  
4130 elections; creating a presumption of validity of a  
4131 ballot statement that contains the full text of an



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4132 amendment or revision; providing for retroactive  
4133 application of the amendments to s. 101.161, F.S.;  
4134 amending s. 101.5605, F.S.; requiring an  
4135 electromechanical voting system to satisfy the  
4136 standards for certification adopted by rule of the  
4137 Department of State; amending s. 101.5606, F.S.;  
4138 deleting requirements for electromechanical voting  
4139 systems to have the capability to produce precinct  
4140 totals in marked or punched form; amending s.  
4141 101.5612, F.S.; revising the sample size of  
4142 electromechanical voting systems that include the  
4143 electronic or electromechanical tabulation devices to  
4144 be tested; amending s. 101.5614, F.S.; deleting  
4145 provisions relating to the use of ballot cards and  
4146 write-in ballots or envelopes; amending s. 101.591,  
4147 F.S.; removing the audit requirement by the canvassing  
4148 board if a manual recount is undertaken; amending s.  
4149 101.62, F.S.; extending the validity of an absentee  
4150 ballot request to include all elections to the end of  
4151 the calendar year of the second ensuing regularly  
4152 scheduled general election; revising the timeframe for  
4153 supervisors to electronically update absentee ballot  
4154 request information; specifying types of elections for  
4155 which a supervisor of elections must send an absentee  
4156 ballot to uniformed services voters and overseas  
4157 voters; specifying a time period during which a  
4158 supervisor of elections must begin mailing absentee  
4159 ballots; removing requirements that an elector provide  
4160 certain information when requesting an absentee ballot





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4161 from the county supervisor of elections; amending s.  
4162 101.65, F.S.; revising the form of the instructions to  
4163 absent electors; stating that an absentee ballot is  
4164 considered illegal if the signature on the voter's  
4165 certificate does not match the signature on record;  
4166 providing instructions for updating a signature on a  
4167 voter registration application; amending s. 101.657,  
4168 F.S.; reducing the early voting period for elections  
4169 with state or federal races; removing timetables with  
4170 respect to early voting in special elections; removing  
4171 restrictions with respect to daily hours of operation  
4172 of early voting sites; authorizing a supervisor of  
4173 elections to provide early voting for elections not  
4174 held in conjunction with a state or federal election;  
4175 amending s. 101.68, F.S.; extending the time for  
4176 canvassing and processing absentee ballots to 15 days  
4177 before the election; amending s. 101.6923, F.S.;  
4178 revising the form of the special absentee ballot  
4179 instructions for certain first-time voters; stating  
4180 that an absentee ballot is considered illegal if the  
4181 signature on the voter's certificate does not match  
4182 the signature on record; providing instructions for  
4183 updating a signature on a voter registration  
4184 application; amending s. 101.75, F.S.; deleting a  
4185 requirement for the dates of the qualifying period for  
4186 certain municipal elections to run for no less than 14  
4187 days; amending s. 102.141, F.S.; requiring the  
4188 canvassing board to report all early voting and all  
4189 tabulated absentee results to the department by a time



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4190 certain; requiring periodic updates; amending s.  
4191 102.168, F.S.; revising provisions specifying  
4192 indispensable parties in a contest of an election;  
4193 providing that in an election contest involving the  
4194 review of a signature on an absentee ballot by a  
4195 canvassing board, a circuit court may not review or  
4196 consider evidence other than the signature on the  
4197 voter's certificate and the elector's signatures in  
4198 the registration records; providing for the reversal  
4199 of the determination by the canvassing board if the  
4200 court determines that the board abused its discretion;  
4201 amending s. 103.021, F.S.; revising a definition;  
4202 creating s. 103.095, F.S.; providing a procedure for  
4203 the registration of a minor political party; requiring  
4204 the Division of Elections to adopt rules to prescribe  
4205 the manner in which political parties may have their  
4206 filings cancelled; amending s. 103.101, F.S.; creating  
4207 a Presidential Preference Primary Date Selection  
4208 Committee; providing membership; requiring for the  
4209 committee to meet by a date certain and to set a date  
4210 for the presidential preference primary; modifying  
4211 timing requirements with respect to the number and  
4212 selection of delegates for presidential preference  
4213 primary candidates; deleting certain requirements  
4214 governing party rules involving such delegates;  
4215 amending s. 103.141, F.S.; revising procedures for the  
4216 removal of an officer, county committeeman, county  
4217 committeewoman, precinct committeeman, precinct  
4218 committeewoman, or member of a county executive



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4219 committee; repealing s. 103.161, F.S., which relates  
4220 to the removal or suspension of officers or members of  
4221 a state or county executive committee; amending s.  
4222 104.29, F.S.; revising provisions authorizing persons  
4223 to view whether ballots are being correctly  
4224 reconciled; amending s. 105.031, F.S.; revising the  
4225 oath for candidates for judicial office; amending s.  
4226 106.011, F.S.; revising the definitions of the terms  
4227 "contribution," "independent expenditure," "unopposed  
4228 candidate," and "candidate"; conforming a cross-  
4229 reference to changes made by the act; amending s.  
4230 106.021, F.S.; deleting requirements to report the  
4231 address of certain persons receiving a reimbursement  
4232 by a check drawn on a campaign account; amending s.  
4233 106.022, F.S.; requiring a political committee,  
4234 committee of continuous existence, or electioneering  
4235 communications organization to file a statement of  
4236 appointment with the filing officer rather than with  
4237 the Division of Elections; authorizing an entity to  
4238 change its appointment of registered agent or  
4239 registered office by filing a written statement with  
4240 the filing officer; requiring a registered agent who  
4241 resigns to execute a written statement of resignation  
4242 and file it with the filing officer; amending s.  
4243 106.023, F.S.; revising the form of the statement of  
4244 candidate to require a candidate to acknowledge that  
4245 he or she has been provided access to and understands  
4246 the requirements of ch. 106, F.S.; amending s.  
4247 106.025, F.S.; exempting tickets or advertising for a



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4248 campaign fundraiser from requirements of s. 106.143,  
4249 F.S.; amending s. 106.03, F.S.; revising requirements  
4250 for groups making expenditures for electioneering  
4251 communications to file a statement of organization;  
4252 amending s. 106.04, F.S.; transferring a requirement  
4253 that certain committees of continuous existence file  
4254 campaign finance reports in special elections;  
4255 subjecting a committee of continuous existence that  
4256 fails to file a report or to timely file a report with  
4257 the Division of Elections or a county or municipal  
4258 filing officer to a fine; requiring a committee of  
4259 continuous existence to include transaction  
4260 information from credit card purchases in a report  
4261 filed with the Division of Elections; requiring a  
4262 committee of continuous existence to report changes in  
4263 information previously reported to the Division of  
4264 Elections within 10 days after the change; requiring  
4265 the Division of Elections to revoke the certification  
4266 of a committee of continuous existence that fails to  
4267 file or report certain information; requiring the  
4268 division to adopt rules to prescribe the manner in  
4269 which the certification is revoked; increasing the  
4270 amount of a fine to be levied on a committee of  
4271 continuous existence that fails to timely file certain  
4272 reports; providing for the deposit of the proceeds of  
4273 the fines; including the registered agent of a  
4274 committee of continuous existence as a person whom the  
4275 filing officer may notify that a report has not been  
4276 filed; providing criteria for deeming delivery



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4277 complete of a notice of fine; requiring a committee of  
4278 continuous existence that appeals a fine to provide a  
4279 copy of the appeal with the filing officer; amending  
4280 s. 106.07, F.S.; creating an exception for reports due  
4281 in the third calendar quarter immediately preceding a  
4282 general election from a requirement that the campaign  
4283 treasurer report contributions received and  
4284 expenditures made on the 10th day following the end of  
4285 each calendar quarter; revising reporting requirements  
4286 for a statewide candidate who receives funding under  
4287 the Florida Election Campaign Financing Act and  
4288 candidates in a race with a candidate who has  
4289 requested funding under that act; deleting a  
4290 requirement for a committee of continuous existence to  
4291 file a campaign treasurer's report relating to  
4292 contributions or expenditures to influence the results  
4293 of a special election; revising the methods by which a  
4294 campaign treasurer may be notified of the  
4295 determination that a report is incomplete to include  
4296 certified mail and other methods using a common  
4297 carrier that provides proof of delivery of the notice;  
4298 extending the time the campaign treasurer has to file  
4299 an addendum to the report after receipt of notice of  
4300 why the report is incomplete; providing criteria for  
4301 deeming delivery complete of a notice of incomplete  
4302 report; deleting a provision allowing for notification  
4303 by telephone of an incomplete report; revising the  
4304 information that must be included in a report to  
4305 include transaction information for credit card



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4306 purchases; deleting a requirement for a campaign  
4307 depository to return checks drawn on the account to  
4308 the campaign treasurer; specifying the amount of a  
4309 fine for the failure to timely file reports after a  
4310 special primary election or special election;  
4311 specifying that the registered agent of a political  
4312 committee is a person whom a filing officer may notify  
4313 of the amount of the fine for filing a late report;  
4314 providing criteria for deeming delivery complete of a  
4315 notice of late report and resulting fine; amending s.  
4316 106.0703, F.S.; deleting a requirement that an  
4317 electioneering communications organization file  
4318 electronically file certain periodic reports with the  
4319 Department of State; amending s. 106.0705, F.S.;

4320 requiring certain individuals to electronically file  
4321 certain reports with the Division of Elections;  
4322 conforming a cross-reference to changes made by the  
4323 act; deleting an obsolete provision; amending s.  
4324 106.08, F.S.; deleting a requirement for the  
4325 Department of State to notify candidates as to whether  
4326 an independent or minor party candidate has obtained  
4327 the required number of petition signatures; deleting a  
4328 requirement for certain unopposed candidates to return  
4329 contributions; specifying the entities with which a  
4330 political party's state executive committee and county  
4331 executive committees and affiliated party committees  
4332 must file a written acceptance of an in-kind  
4333 contribution; amending s. 106.09, F.S.; specifying  
4334 that the limitations on contributions by cash or



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4335 cashier's check apply to the aggregate amount of  
4336 contributions to a candidate or committee per  
4337 election; amending s. 106.11, F.S.; revising the  
4338 statement that must be contained on checks from a  
4339 campaign account; deleting requirements relating to  
4340 the use of debit cards; authorizing a campaign for a  
4341 candidate to reimburse the candidate's loan to the  
4342 campaign when the campaign account has sufficient  
4343 funds; amending s. 106.141, F.S.; deleting a limit on  
4344 the amount of surplus funds that a candidate may give  
4345 to his or her political party; requiring candidates  
4346 receiving public financing to return all surplus funds  
4347 to the General Revenue Fund after paying certain  
4348 monetary obligations and expenses; amending s.  
4349 106.143, F.S.; specifying disclosure statements that  
4350 must be included in political advertisements paid for  
4351 by a write-in candidate; revising the disclosure  
4352 statements that must be included in certain political  
4353 advertisements; clarifying the type of political  
4354 advertisements that must be approved in advance by a  
4355 candidate; deleting an exemption from the requirement  
4356 to obtain a candidate's approval for messages designed  
4357 to be worn; authorizing a disclaimer for paid  
4358 political advertisements to contain certain registered  
4359 names and abbreviations; amending s. 106.1437, F.S. ;  
4360 providing that expenditures for a miscellaneous  
4361 advertisement are not considered to be a contribution  
4362 to or on behalf of a candidate and do not constitute  
4363 an independent expenditure; amending s. 106.17, F.S.;



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4364 providing that the cost of certain polls are not  
4365 contributions to a candidate; amending s. 106.19,  
4366 F.S.; providing that a candidate's failure to comply  
4367 with ch. 106, F.S., has no effect on whether the  
4368 candidate has qualified for office; amending s.  
4369 106.25, F.S.; authorizing a person who is the subject  
4370 of a complaint filed with the Florida Elections  
4371 Commission to file a response before the executive  
4372 director of the commission determines whether the  
4373 complaint is legally sufficient; prohibiting the  
4374 commission from determining by rule what constitutes  
4375 willfulness or defining the term "willful";  
4376 authorizing the commission to enter into consent  
4377 orders without requiring the respondent to admit to a  
4378 violation of law; authorizing an administrative law  
4379 judge to impose civil penalties for violations of ch.  
4380 104 or ch. 106, F.S.; amending s. 106.26, F.S.;  
4381 requiring the commission to enforce certain witness  
4382 subpoenas in the circuit court where the witness  
4383 resides; amending s. 106.265, F.S.; authorizing an  
4384 administrative law judge to assess civil penalties  
4385 upon a finding of a violation of the election code or  
4386 campaign financing laws; providing for civil penalties  
4387 to be assessed against an electioneering  
4388 communications organization; removing reference to the  
4389 expired Election Campaign Financing Trust Fund;  
4390 directing that moneys from penalties and fines be  
4391 deposited into the General Revenue Fund; amending s.  
4392 106.29, F.S.; requiring state and county executive





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4393 committees and affiliated party committees that make  
4394 contributions or expenditures to influence the results  
4395 of a special election or special primary election to  
4396 file campaign treasurer's reports; amending campaign  
4397 finance reporting dates, to conform; deleting a  
4398 requirement that each state executive committee file  
4399 the original and one copy of its reports with the  
4400 Division of Elections; revising the due date for  
4401 filing a report; providing criteria for deeming  
4402 delivery complete of a notice of fine; amending s.  
4403 106.35, F.S.; deleting a requirement that the Division  
4404 of Election adopt rules relating to the format and  
4405 filing of certain printed campaign treasurer's  
4406 reports; amending s. 112.312, F.S.; excluding  
4407 contributions or expenditures reported pursuant to  
4408 federal election law from the definition of the term  
4409 "gift"; amending s. 112.3215, F.S.; excluding  
4410 contributions or expenditures reported pursuant to  
4411 federal election law from the definition of the term  
4412 "expenditure"; amending s. 876.05, F.S.; deleting a  
4413 requirement for all candidates for public office to  
4414 record an oath to support the Constitution of the  
4415 United States and of the State of Florida; repealing  
4416 s. 876.07, F.S., relating to a requirement that a  
4417 person make an oath to support the Constitution of the  
4418 United States and of the State of Florida in order to  
4419 be qualified as a candidate for office; providing for  
4420 severability of the act; providing effective dates.