

1 A bill to be entitled
2 An act relating to elections; amending s. 97.012, F.S.;
3 expanding the list of responsibilities of the Secretary of
4 State when acting in his or her capacity as chief election
5 officer; amending s. 97.021, F.S.; revising the definition
6 of "minor political party"; amending s. 97.025, F.S.;
7 revising methods of publication and distribution of the
8 Florida Election Code pamphlet to candidates qualifying
9 with the Department of State; amending s. 97.0575, F.S.;
10 requiring that third-party voter registration
11 organizations register with the Division of Elections and
12 provide the division with certain information; requiring
13 that the division or a supervisor of elections make voter
14 registration forms available to third-party voter
15 registration organizations; requiring that such forms
16 contain certain information; requiring that the division
17 maintain a database of certain information; requiring
18 supervisors of elections to provide specified information
19 to the division in a format and at times required by the
20 division; requiring that such information be updated and
21 made public daily at a specified time; requiring third-
22 party voter registration organizations to deliver
23 collected voter registration applications within a
24 specified period; revising penalty provisions to conform;
25 specifying grounds for an affirmative defense to a
26 violation of timely submission requirements; providing for
27 the referral of violations to the Attorney General;
28 authorizing the Attorney General to initiate a civil

29 | action; providing that an action for relief may include a
30 | permanent or temporary injunction, a restraining order, or
31 | any other appropriate order; requiring that the division
32 | adopt rules for specified purposes; providing for
33 | retroactive effectiveness; amending s. 97.071, F.S.;
34 | requiring that voter information cards contain the address
35 | of the polling place of the registered voter; requiring a
36 | supervisor of elections to issue a new voter information
37 | card to a voter upon a change in a voter's address of
38 | legal residence or a change in a voter's polling place
39 | address; amending s. 97.073, F.S.; requiring a supervisor
40 | to notify an applicant within 5 business days regarding
41 | disposition of the voter registration applications;
42 | amending s. 97.1031, F.S.; requiring an elector to notify
43 | the supervisor of elections when he or she changes his or
44 | her residence address; providing a voter with various
45 | options for providing address updates; revising notice
46 | requirements for any change in party affiliation; amending
47 | s. 98.075, F.S.; requiring a supervisor of elections to
48 | remove a registered voter from the statewide voter
49 | registration system upon certain notice; providing bases
50 | for ineligibility; amending 98.093, F.S.; requiring the
51 | Florida Parole Commission and the Department of
52 | Corrections to provide specified data for the updating of
53 | the statewide voter registration system regarding
54 | convicted felons; amending s. 98.0981, F.S.; providing
55 | timeframes and formats for voting history information to
56 | be sent by the supervisors of elections to the department;

57 providing timeframes and formats for voting history
58 information to be sent by the department to the President
59 of the Senate, the Speaker of the House of
60 Representatives, and the respective minority leaders;
61 requiring submission of precinct-level information in a
62 certain format by a time certain; amending s. 99.012,
63 F.S., relating to restrictions on individuals qualifying
64 for public office; providing that if a final court order
65 determines that a person did not comply with specific
66 provisions of the section the person is not qualified as a
67 candidate and his or her name may not appear on ballot;
68 providing for nonapplicability to presidential and vice
69 presidential candidates; amending s. 99.021, F.S.;;
70 revising the candidate oath requirement for a person
71 seeking to qualify for nomination or election or as a
72 candidate of a political party; removing requirement for
73 qualifying officer to give printed copy of candidate oath;
74 removing requirement for taking public employee oath;
75 providing exceptions for certain candidates taking other
76 oaths; amending s. 99.061, F.S.; revising timeframe for
77 candidate to pay qualifying fee under certain
78 circumstances; requiring checks to be payable as
79 prescribed by filing officer; requiring notarized
80 signature on certain oaths; removing requirement for
81 public employee oath; requiring filing of a notarized
82 financial disclosure; clarifying time for qualifying
83 papers to be received; providing that qualifying officer
84 performs ministerial duty only; exempting qualifying

85 officer decision from Administrative Procedures Act;
86 amending s. 99.063, F.S.; removing the requirement that a
87 candidate swear a public employee loyalty oath; amending
88 s. 99.093, F.S.; remitting assessments directly to the
89 Florida Elections Commissions rather than passing through
90 the department; amending s. 99.095, F.S.; allowing certain
91 individuals seeking county or district office in a year of
92 apportionment to obtain signatures countywide; amending s.
93 99.097, F.S.; clarifying that the supervisor of elections
94 checks more than signatures on petition forms; clarifying
95 rulemaking authority of the department relating to
96 petitions; prohibiting certain random sampling method of
97 petition verification for constitutional amendments
98 petitions; providing for invalidity of undue burden oaths
99 under specified circumstances; providing for certain funds
100 to be used to reimburse a supervisor of elections for
101 signature verification fees not previously paid when an
102 undue burden oath is held invalid; amending s. 100.061,
103 F.S.; revising the primary election date; amending s.
104 100.111, F.S.; providing notification requirements and
105 procedures for filling a vacancy in nomination for certain
106 offices; deleting the definition of the term "district
107 political party executive committee"; providing that a
108 vacancy in nomination is not created if an order of a
109 court that has become final determines the nominee did not
110 properly qualify or does not meet the necessary
111 qualifications to hold the office sought; amending s.
112 100.371, F.S.; providing that signatures on an initiative

113 petition are valid for 2 years instead of 4 years;
114 requiring that a petition signer must be a registered
115 elector at time of signing for a supervisor to verify his
116 or her signature as valid; requiring the supervisor of
117 elections to notify petition sponsor of misfiled petition
118 under certain circumstances; deleting certain petition
119 revocation provisions; amending s. 101.001, F.S.;
120 requiring the supervisors of elections to provide the
121 department with precinct data including specified
122 information; requiring the department to maintain a
123 searchable database containing certain precinct and census
124 block information; requiring supervisors of elections to
125 notify the department of precinct changes within a
126 specified time; deleting a waiver; amending s. 101.043,
127 F.S.; providing that the address appearing on the photo
128 identification used at polls cannot be used to confirm or
129 challenge an elector's legal residence for address
130 verification; amending s. 101.045, F.S.; permitting a
131 change of residence at the polling place for a person
132 changing residence within a county; providing that a
133 person whose change of address is from outside the county
134 may not change his or her legal residence at the polling
135 place or vote a regular ballot but may vote a provisional
136 ballot; amending s. 101.131, F.S.; revising procedures for
137 the designation of poll watchers; requiring that the
138 division prescribe a form for the designation of poll
139 watchers; providing conditions under which poll watchers
140 are authorized to enter polling areas and watch polls;

141 requiring that a supervisor of elections provide
142 identification to poll watchers by a specified period
143 before early voting begins; requiring that poll watchers
144 display such identification while in a polling place;
145 amending s. 101.151, F.S.; providing changes in ballot
146 appearance; reducing length and appearance of ballot and
147 redundancy; expanding use of ballot on demand technology;
148 amending s. 101.5605, F.S.; clarifying that testing of
149 voting equipment be done in accordance with state-adopted
150 voting system standards; amending s. 101.5606, F.S.;
151 removing references to obsolete forms of voting; amending
152 s. 101.56075, F.S.; providing that all voting systems
153 utilized after a certain time shall permit placement on
154 the ballot of the full text of a constitutional amendment;
155 amending s. 101.5612, F.S.; revising the number or
156 percentage of systems that must be tested; amending s.
157 101.5614, F.S.; conforming law to current technological
158 practices in canvassing of certain returns; amending s.
159 101.591, F.S.; providing that a manual recount is not
160 required under certain circumstances; amending s. 101.62,
161 F.S.; extending absentee ballot request through the end of
162 the calendar year of the next two regularly scheduled
163 general elections; providing timeframes for absentee
164 ballots to be sent to voters voting an absentee ballot;
165 clarifying provisions relating to military and overseas
166 voters; requiring the supervisors of elections to update
167 absentee ballot information and make available by a time
168 certain; revising reasons for voting absentee; amending s.

169 101.65, F.S.; expanding absentee ballot instructions to
170 notify a voter that signatures on ballot and on record
171 must match; informing voter when signature must be
172 updated; amending s. 101.68, F.S.; allowing the county
173 canvassing boards to begin canvassing of absentee ballots
174 at a time certain; amending s. 101.6923, F.S.; expanding
175 special absentee ballot instructions for certain first-
176 time voters to notify voters that signatures on the ballot
177 and on record must match; informing voter when signature
178 must be updated; amending s. 101.75, F.S.; eliminating
179 state mandate for a municipal election to have a 14-day
180 candidate qualifying period when it moves its election to
181 coincide with state or county election; amending s.
182 102.031, F.S.; prohibiting solicitation of voters who are
183 entering or in line to enter any polling place, polling
184 room, or early voting site; requiring the posting of a
185 sign; expanding the definitions of the terms "solicit" and
186 "solicitation"; amending s. 102.141, F.S.; requiring the
187 canvassing board to report all early voting and all
188 tabulated absentee results to the department by a time
189 certain; requiring periodic updates; amending s. 102.168,
190 F.S.; clarifying when canvassing boards are an
191 indispensable party to an election contest; clarifying
192 evidence a circuit court may consider in certain election
193 contests; providing a standard of review; amending s.
194 103.021; F.S.; revising the definition of the term
195 "national party"; revising requirements for a minor
196 political party to have candidates for President and Vice

197 President placed on the general election ballot; creating
198 s. 103.095, F.S.; providing a procedure for the
199 registration of a minor political party; requiring the
200 Division of Elections to adopt rules to prescribe the
201 manner in which political parties may have their filings
202 canceled; amending s. 103.101, F.S.; creating a
203 Presidential Preference Primary Date Selection Committee;
204 providing membership; requiring for the committee to meet
205 by a date certain and to set a date for the presidential
206 preference primary; amending s. 103.141, F.S.; deleting
207 language providing for the removal of certain county
208 executive committee members pursuant to a separate
209 provision of law; amending s. 104.29, F.S.; clarifying
210 when it is an offense for an inspector or other election
211 official to deny a person the opportunity to observe
212 whether ballots are being correctly reconciled; amending
213 s. 106.011, F.S.; revising the definitions of "candidate",
214 "contribution," and "expenditure" to exclude funds
215 received or spent for certain potential candidate polls;
216 clarifying and conforming the definition of "independent
217 expenditure" to the candidate's specific qualifying
218 period; clarifying the qualifying period for the
219 candidate; correcting a cross-reference; creating s.
220 106.012, F.S.; providing that funds spent or received are
221 not contributions or expenditures if used solely for
222 determining candidate viability; providing examples of
223 permissible activities; providing for retention of
224 records; providing that funds become contributions and

225 expenditures upon the candidacy of a person; requiring
226 reporting of funds regardless of date received or spent;
227 providing examples of ineligible activities for fund use;
228 delineating activities indicating intention to become a
229 candidate; limiting the amount of funds that may be
230 received; amending s. 106.021, F.S.; deleting a
231 requirement that certain information be included in
232 campaign reports for reimbursement; amending s. 106.022,
233 F.S.; requiring a political committee, committee of
234 continuous existence, or electioneering communications
235 organization to file a statement of appointment with the
236 filing officer rather than with the division; authorizing
237 an entity to change its appointment of registered agent or
238 registered office by filing a written statement with the
239 filing officer; requiring a registered agent who resigns
240 to execute a written statement of resignation and file it
241 with the filing officer; amending s. 106.023, F.S.;

242 revising the form of the statement of a candidate to
243 require a candidate to acknowledge that he or she has been
244 provided access to and understands the requirements of ch.
245 106, F.S.; amending s. 106.025, F.S.; exempting tickets or
246 advertising for a campaign fundraiser from requirements of
247 s. 106.143, F.S.; amending s. 106.03, F.S.; providing when
248 a political committee must file a statement of
249 organization; providing when a group must register as an
250 electioneering communications organization; amending s.
251 106.04, F.S.; requiring a committee of continuous
252 existence that makes a contribution or expenditure in

253 connection with certain county or municipal elections to
254 file specified reports; subjecting a committee of
255 continuous existence that fails to file a report or to
256 timely file a report with the division or a county or
257 municipal filing officer to a fine; requiring a committee
258 of continuous existence to include transaction information
259 from credit card purchases in a report filed with the
260 division; requiring a committee of continuous existence to
261 report changes in information previously reported to the
262 division within 10 days after the change; requiring the
263 division to revoke the certification of a committee of
264 continuous existence under certain circumstances;
265 requiring the division to adopt rules to prescribe the
266 manner in which the certification is revoked; increasing
267 the amount of a fine to be levied on a committee of
268 continuous existence that fails to timely file certain
269 reports; providing for the deposit of the proceeds of the
270 fines; including the registered agent of a committee of
271 continuous existence as an alternate person whom the
272 filing officer shall notify that a report has not been
273 filed; providing criteria for deeming delivery of a notice
274 of fine complete; requiring a committee of continuous
275 existence that appeals a fine to file a copy of the appeal
276 with the commission; amending s. 106.07, F.S.; correcting
277 a cross-reference; revising the dates that certain
278 contribution and expenditure reports must be filed;
279 revising reporting requirements for a statewide candidate
280 who receives funding under the Florida Election Campaign

281 Financing Act and candidates in a race with a candidate
282 who has requested funding under that act; deleting a
283 requirement for a committee of continuous existence to
284 file a campaign treasurer's report relating to
285 contributions or expenditures to influence the results of
286 a special election; revising the methods by which a
287 campaign treasurer may be notified of the determination
288 that a report is incomplete to include certified mail and
289 other methods using a common carrier that provides proof
290 of delivery of the notice; extending the time the campaign
291 treasurer has to file an addendum to the report after
292 receipt of notice of why the report is incomplete;
293 providing criteria for deeming delivery complete of a
294 notice of incomplete report; deleting a provision allowing
295 for notification by telephone of an incomplete report;
296 requiring political committees that make a contribution or
297 expenditure in connection with certain county or municipal
298 elections to file campaign finance reports with the county
299 or municipal filing officer and to include its
300 contributions and expenditures in a report to the
301 division; revising the information that must be included
302 in a report to include transaction information for credit
303 card purchases; deleting a requirement that a campaign
304 depository to return checks drawn on the account to the
305 campaign treasurer; specifying the amount of a fine for
306 the failure to timely file reports after a special primary
307 election or special election; specifying that the
308 registered agent of a political committee is a person whom

309 a filing officer may notify of the amount of the fine for
310 filing a late report; providing criteria for deeming
311 delivery of a notice of late report and resulting fine
312 complete; amending s. 106.0703, F.S.; correcting a cross-
313 reference; deleting a requirement for an electioneering
314 communications organization to provide certain information
315 to the department on activities occurring since the last
316 general election; amending s. 106.0705, F.S.; requiring
317 certain individuals to electronically file certain reports
318 with the division; conforming a cross-reference to changes
319 made by the act; deleting an obsolete provision; amending
320 s. 106.071, F.S.; conforming provisions relating to
321 expenditures in the aggregate; clarifying the independent
322 expenditure disclaimer for paid political advertisement by
323 an individual; amending s. 106.08, F.S.; deleting a
324 requirement for the department to notify candidates as to
325 whether an independent or minor party candidate has
326 obtained the required number of petition signatures;
327 deleting a requirement for certain unopposed candidates to
328 return contributions; specifying the entities with which a
329 political party's state executive committee, an affiliated
330 party committee, and county executive committees must file
331 a written acceptance of an in-kind contribution; amending
332 s. 106.09, F.S.; specifying that the limitations on
333 contributions by cash or cashier's check apply to the
334 aggregate amount of contributions to a candidate or
335 committee per election; clarifying that a violation of a
336 certain subsection, and not a section, of the law is a

337 | misdemeanor of the first degree; amending s. 106.11, F.S.;

338 | revising the statement that must be contained on checks

339 | from a campaign account; deleting requirements relating to

340 | the use of debit cards; authorizing a campaign for a

341 | candidate to reimburse the candidate's loan to the

342 | campaign when the campaign account has sufficient funds;

343 | amending s. 106.141, F.S.; removing certain limitations on

344 | expenditure of surplus funds; requiring candidates

345 | receiving public financing to return all surplus funds to

346 | the General Revenue Fund after paying certain monetary

347 | obligations and expenses; amending s. 106.143, F.S.;

348 | revising disclosure requirements for certain political

349 | advertisements; specifying disclosure statements that must

350 | be included in political advertisements paid for by a

351 | write-in candidate; specifying disclosure requirements for

352 | political advertisements paid for by in-kind

353 | contributions; prohibiting the inclusion of a person's

354 | political affiliation in advertisements for a nonpartisan

355 | office; clarifying the type of political advertisements

356 | that must be approved in advance by a candidate; deleting

357 | a duplicative exemption from the requirement to obtain a

358 | candidate's approval for messages designed to be worn;

359 | providing that political advertisements paid for by a

360 | political party or an affiliated party committee may use

361 | certain registered names and abbreviations; clarifying

362 | that a political advertisement that is paid for by a

363 | candidate and complies with statutory disclosure

364 | requirements is not required to additionally state that it

365 is approved by the candidate; amending s. 106.15, F.S.;

366 prohibiting the making, soliciting, or accepting of any

367 political contribution in a government-occupied room or

368 building space; defining "government-occupied room or

369 building space"; providing an exception; amending s.

370 106.17, F.S.; authorizing state and county executive

371 committees and affiliated party committees to conduct

372 political polls to determine viability of potential

373 candidates; allowing sharing of results; providing that

374 such expenditures are not contributions to the potential

375 candidates; amending s. 106.19, F.S.; providing that a

376 candidate's failure to comply with ch. 106, F.S., has no

377 effect on whether the candidate has qualified for office;

378 amending s. 106.25, F.S., relating to reports of alleged

379 violations to Florida Elections Commission; providing a

380 deadline for the filing of a response by a respondent;

381 prohibiting the commission from defining willfulness by

382 rule, or further defining the term as provided in ch. 106

383 or ch. 104, F.S.; providing for entering into a consent

384 order under certain circumstances; allowing a respondent

385 who is alleged by the commission to have violated the

386 election code or campaign financing laws to elect as a

387 matter of right a formal hearing before the Division of

388 Administrative Hearings; authorizing an administrative law

389 judge to assess civil penalties upon the finding of a

390 violation; amending s. 106.26, F.S.; authorizing the

391 commission to file a complaint in the circuit court where

392 the witness resides; amending s. 106.265, F.S.;

393 authorizing an administrative law judge to assess a civil
394 penalty upon a finding of a violation of the election code
395 or campaign financing laws; providing for civil penalties
396 to be assessed against an electioneering communications
397 organization; removing reference to the expired Election
398 Campaign Financing Trust Fund; directing that moneys from
399 penalties and fines be deposited into the General Revenue
400 Fund; amending s. 106.29, F.S.; requiring specified
401 committees that make contributions or expenditures to
402 influence the results of a special election or special
403 primary election to file campaign treasurer's reports by
404 certain dates; providing for applicable campaign finance
405 reporting dates, to conform; deleting a requirement that
406 each state executive committee file the original and one
407 copy of its reports with the division; revising provisions
408 relating to penalties for late filing, to conform and to
409 provide requirements for sufficiency of notice; amending
410 s. 106.35, F.S.; deleting a requirement that the division
411 adopt rules relating to the format and filing of certain
412 printed campaign treasurer's reports under the Florida
413 Election Campaign Financing Act; amending s. 106.355,
414 F.S.; eliminating the duty of the department to provide
415 funds from the Election Campaign Financing Trust Fund when
416 certain expenditure limits are exceeded; amending s.
417 11.045, F.S.; excluding funds received or spent under s.
418 106.012, F.S., from the definition of "expenditure";
419 amending s. 112.312, F.S.; excluding funds received or
420 spent under s. 106.012, F.S., or contributions or

421 expenditures reported pursuant to federal election law
422 from the definition of "gift"; amending s. 112.3215, F.S.;
423 excluding funds received or spent under s. 106.012, F.S.,
424 or contributions or expenditures reported pursuant to
425 federal election law from the definition of "expenditure";
426 amending s. 876.05, F.S.; deleting the requirement that
427 candidates for public office take a public employee oath;
428 amending s. 100.101, F.S.; to conform to changes made by
429 the act; repealing s. 103.161, F.S., relating to the
430 removal or suspension of officers or members of state
431 executive committees or county executive committees;
432 repealing s. 876.07, F.S., relating to the requirement
433 that a candidate take a public employee oath as a
434 prerequisite to qualifying for public office, to conform;
435 amending s. 101.161, F.S.; revising terminology;
436 transferring to a new subsection requirements applicable
437 to joint resolutions; providing that a joint resolution
438 may include a ballot summary and alternate ballot
439 summaries; providing that a joint resolution may include a
440 ballot summary or alternate ballot summaries, listed in
441 order of preference, describing the chief purpose of the
442 amendment or revision in clear and unambiguous language;
443 requiring a joint resolution to specify placement on the
444 ballot of a ballot title and either a ballot summary
445 embodied in the joint resolution or the full text of the
446 proposed amendment or revision; requiring placement on the
447 ballot of the ballot title and ballot summary, or the
448 ballot title and the full text of the proposed amendment

449 | or revision, as specified by a joint resolution; requiring
450 | placement on the ballot of the full text of an amendment
451 | or revision if the court determines that each ballot
452 | summary embodied in a joint resolution is defective unless
453 | the Secretary of State certifies to the court that
454 | placement of the full text on the ballot is incompatible
455 | with voting systems that must be utilized during the
456 | election at which the proposed amendment will be presented
457 | to voters and that no other available accommodation will
458 | enable persons with disabilities to vote on the proposed
459 | amendment or revision; requiring the Attorney General to
460 | revise a ballot summary under certain circumstances;
461 | requiring the court to retain jurisdiction over challenges
462 | to any revised ballot summary submitted by the Attorney
463 | General; requiring challenges to revised ballot summaries
464 | to be filed within 10 days after the revised ballot
465 | summary is submitted to the court by the Attorney General;
466 | creating a presumption that the full text of an amendment
467 | or revision must be considered a clear and unambiguous
468 | statement of the substance and effect of an amendment or
469 | revision proposed by joint resolution and sufficient
470 | notice to electors under certain circumstances;
471 | establishing rules of construction for construing proposed
472 | ballot titles, ballot summaries, or the full text of
473 | proposed amendments or revisions; requiring legal
474 | challenges to ballot language to be filed within certain
475 | time periods; requiring complaints or petitions
476 | challenging ballot language to assert all grounds for such

477 challenges; providing that any grounds not asserted are
 478 waived; requiring the courts to describe with specificity
 479 each deficiency in a ballot title, summary, or full text
 480 of a proposed amendment or revision; requiring the courts
 481 to accord actions challenging ballot language specified by
 482 a joint resolution priority over other pending cases and
 483 issue orders as expeditiously as possible; providing
 484 retroactive applicability to joint resolutions passed
 485 during the 2011 regular session; providing effective
 486 dates.

487
 488

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

490
 491 Section 1. Subsection (16) is added to section 97.012,
 492 Florida Statutes, to read:

493 97.012 Secretary of State as chief election officer.—The
 494 Secretary of State is the chief election officer of the state,
 495 and it is his or her responsibility to:

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

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

502 97.021 Definitions.—For the purposes of this code, except
 503 where the context clearly indicates otherwise, the term:

504 (18) "Minor political party" is any group as specified in

505 ~~s. 103.095 defined in this subsection~~ which on January 1
 506 preceding a primary election does not have registered as members
 507 5 percent of the total registered electors of the state. ~~Any~~
 508 ~~group of citizens organized for the general purposes of electing~~
 509 ~~to office qualified persons and determining public issues under~~
 510 ~~the democratic processes of the United States may become a minor~~
 511 ~~political party of this state by filing with the department a~~
 512 ~~certificate showing the name of the organization, the names of~~
 513 ~~its current officers, including the members of its executive~~
 514 ~~committee, and a copy of its constitution or bylaws. It shall be~~
 515 ~~the duty of the minor political party to notify the department~~
 516 ~~of any changes in the filing certificate within 5 days of such~~
 517 ~~changes.~~

518 Section 3. Section 97.025, Florida Statutes, is amended to
 519 read:

520 97.025 Election Code; copies thereof.—A pamphlet of a
 521 reprint of the Election Code, adequately indexed, shall be
 522 prepared by the Department of State. The pamphlet shall be made
 523 available ~~It shall have a sufficient number of these pamphlets~~
 524 ~~printed so that one may be given, upon request, to each~~
 525 ~~candidate who qualifies with the department. The pamphlet shall~~
 526 be made available ~~A sufficient number may be sent to each~~
 527 ~~supervisor, before prior to the first day of qualifying, so that~~
 528 ~~for distribution, upon request, to each candidate who qualifies~~
 529 ~~with the supervisor and to each clerk of elections~~ has access to
 530 the pamphlet. The cost of making ~~printing~~ the pamphlets
 531 available shall be paid out of funds appropriated for conducting
 532 elections.

533 Section 4. Section 97.0575, Florida Statutes, is amended
534 to read:

535 97.0575 Third-party voter registrations.—

536 (1) Before engaging in any voter registration activities,
537 a third-party voter registration organization must register and
538 provide to the division, in an electronic format, the following
539 information:

540 (a) The names of the officers of the organization and the
541 name and permanent address of the organization.

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

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

547 (d) A sworn statement from each registration agent
548 employed by or volunteering for the organization stating that
549 the agent will obey all state laws and rules regarding the
550 registration of voters. Such statement must be on a form
551 containing notice of applicable penalties for false
552 registration.

553 (2) The division or the supervisor of elections shall make
554 voter registration forms available to third-party voter
555 registration organizations. All such forms must contain
556 information identifying the organization to which the forms are
557 provided. The division shall maintain a database of all third-
558 party voter registration organizations and the voter
559 registration forms assigned to the third-party voter
560 registration organization. Each supervisor of elections shall

561 provide to the division information on voter registration forms
562 assigned to and received from third-party voter registration
563 organizations. The information must be provided in a format and
564 at times as required by the division by rule. The division must
565 update information on third-party voter registrations daily and
566 make the information publicly available.

567 ~~(1) Prior to engaging in any voter registration~~
568 ~~activities, a third-party voter registration organization shall~~
569 ~~name a registered agent in the state and submit to the division,~~
570 ~~in a form adopted by the division, the name of the registered~~
571 ~~agent and the name of those individuals responsible for the day-~~
572 ~~to-day operation of the third-party voter registration~~
573 ~~organization, including, if applicable, the names of the~~
574 ~~entity's board of directors, president, vice president, managing~~
575 ~~partner, or such other individuals engaged in similar duties or~~
576 ~~functions. On or before the 15th day after the end of each~~
577 ~~calendar quarter, each third-party voter registration~~
578 ~~organization shall submit to the division a report providing the~~
579 ~~date and location of any organized voter registration drives~~
580 ~~conducted by the organization in the prior calendar quarter.~~

581 ~~(2) The failure to submit the information required by~~
582 ~~subsection (1) does not subject the third-party voter~~
583 ~~registration organization to any civil or criminal penalties for~~
584 ~~such failure, and the failure to submit such information is not~~
585 ~~a basis for denying such third-party voter registration~~
586 ~~organization with copies of voter registration application~~
587 ~~forms.~~

588 (3) (a) A third-party voter registration organization that

589 collects voter registration applications serves as a fiduciary
 590 to the applicant, ensuring that any voter registration
 591 application entrusted to the ~~third-party voter registration~~
 592 organization, irrespective of party affiliation, race,
 593 ethnicity, or gender, shall be promptly delivered to the
 594 division or the supervisor of elections within 48 hours after
 595 the applicant completes it or the next business day if the
 596 appropriate office is closed for that 48-hour period. If a voter
 597 registration application collected by any third-party voter
 598 registration organization is not promptly delivered to the
 599 division or supervisor of elections, the third-party voter
 600 registration organization is ~~shall be~~ liable for the following
 601 fines:

602 1.(a) A fine in the amount of \$50 for each application
 603 received by the division or the supervisor of elections more
 604 than 48 hours ~~10 days~~ after the applicant delivered the
 605 completed voter registration application to the third-party
 606 voter registration organization or any person, entity, or agent
 607 acting on its behalf or the next business day, if the office is
 608 closed. A fine in the amount of \$250 for each application
 609 received if the third-party voter registration organization or
 610 person, entity, or agency acting on its behalf acted willfully.

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

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

620 | 3.(e) A fine in the amount of \$500 for each application
 621 | collected by a third-party voter registration organization or
 622 | any person, entity, or agent acting on its behalf, which is not
 623 | submitted to the division or supervisor of elections. A fine in
 624 | the amount of \$1,000 for any application not submitted if the
 625 | third-party voter registration organization or person, entity,
 626 | or agency acting on its behalf acted willfully.

627 |
 628 | The aggregate fine pursuant to this paragraph ~~subsection~~ which
 629 | may be assessed against a third-party voter registration
 630 | organization, including affiliate organizations, for violations
 631 | committed in a calendar year is ~~shall be~~ \$1,000.

632 | (b) A showing by the ~~finer provided in this subsection~~
 633 | ~~shall be reduced by three-fourths in cases in which the third-~~
 634 | ~~party voter registration organization~~ that the failure to
 635 | deliver the voter registration application within the required
 636 | timeframe is based upon force majeure or impossibility of
 637 | performance shall be an affirmative defense to a violation of
 638 | this subsection ~~has complied with subsection (1)~~. The secretary
 639 | may ~~shall~~ waive the fines described in this subsection upon a
 640 | showing that the failure to deliver the voter registration
 641 | application promptly is based upon force majeure or
 642 | impossibility of performance.

643 | (4) If the Secretary of State reasonably believes that a
 644 | person has committed a violation of this section, the secretary

645 may refer the matter to the Attorney General for enforcement.
646 The Attorney General may institute a civil action for a
647 violation of this section or to prevent a violation of this
648 section. An action for relief may include a permanent or
649 temporary injunction, a restraining order, or any other
650 appropriate order.

651 (5)-(4)-(a) The division shall adopt by rule a form to
652 elicit specific information concerning the facts and
653 circumstances from a person who claims to have been registered
654 to vote by a third-party voter registration organization but who
655 does not appear as an active voter on the voter registration
656 rolls. The division shall also adopt rules to ensure the
657 integrity of the registration process, including rules requiring
658 third-party voter registration organizations to account for all
659 state and federal registration forms used by their registration
660 agents. Such rules may require an organization to provide
661 organization and form specific identification information on
662 each form as determined by the department as needed to assist in
663 the accounting of state and federal registration forms.

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

667 (6)-(5) The date on which an applicant signs a voter
668 registration application is presumed to be the date on which the
669 third-party voter registration organization received or
670 collected the voter registration application.

671 (7)-(6) The civil fines provided in this section are in
672 addition to any applicable criminal penalties.

673 ~~(8)-(7)~~ Fines collected pursuant to this section shall be
 674 annually appropriated by the Legislature to the department for
 675 enforcement of this section and for voter education.

676 ~~(9)-(8)~~ The division may adopt rules to administer this
 677 section.

678 (10) The requirements of this section are retroactive for
 679 any third-party voter registration organization registered with
 680 the department on July 1, 2011, and must be complied with within
 681 90 days after the department provides notice to the third-party
 682 voter registration organization of the requirements contained in
 683 this section. Failure of the third-party voter registration
 684 organization to comply with the requirements within 90 days
 685 after receipt of the notice shall automatically result in the
 686 cancellation of the third-party voter registration
 687 organization's registration.

688 Section 5. Effective August 1, 2012, section 97.071,
 689 Florida Statutes, is amended to read:

690 97.071 Voter information card.—

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

- 694 (a) Voter's registration number.
- 695 (b) Date of registration.
- 696 (c) Full name.
- 697 (d) Party affiliation.
- 698 (e) Date of birth.
- 699 (f) Address of legal residence.
- 700 (g) Precinct number.

701 (h) Polling place address.

702 (i)~~(h)~~ Name of supervisor and contact information of
703 supervisor.

704 (j)~~(i)~~ Other information deemed necessary by the
705 supervisor.

706 (2) A voter may receive a replacement voter information
707 card by providing a signed, written request for a replacement
708 card to a voter registration official. Upon verification of
709 registration, the supervisor shall issue the voter a duplicate
710 card without charge.

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

714 Section 6. Subsection (1) of section 97.073, Florida
715 Statutes, is amended to read:

716 97.073 Disposition of voter registration applications;
717 cancellation notice.—

718 (1) The supervisor must notify each applicant of the
719 disposition of the applicant's voter registration application
720 within 5 business days after voter registration information is
721 entered into the statewide voter registration system. The notice
722 must inform the applicant that the application has been
723 approved, is incomplete, has been denied, or is a duplicate of a
724 current registration. A voter information card sent to an
725 applicant constitutes notice of approval of registration. If the
726 application is incomplete, the supervisor must request that the
727 applicant supply the missing information using a voter
728 registration application signed by the applicant. A notice of

729 denial must inform the applicant of the reason the application
730 was denied.

731 Section 7. Section 97.1031, Florida Statutes, is amended
732 to read:

733 97.1031 Notice of change of residence, change of name, or
734 change of party affiliation.—

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

739 (b) If the address change is within the state and notice
740 is provided to the supervisor of elections of the county where
741 the elector has moved, the elector may change his or her
742 residence address by:

743 1. Contacting the supervisor of elections by telephone or
744 electronic means; or

745 2. Submitting the change on a voter registration
746 application or other signed written notice. ~~moves from the~~
747 ~~address named on that person's voter registration record to~~
748 ~~another address within the same county, the elector must provide~~
749 ~~notification of such move to the supervisor of elections of that~~
750 ~~county. The elector may provide the supervisor a signed, written~~
751 ~~notice or may notify the supervisor by telephone or electronic~~
752 ~~means. However, notification of such move other than by signed,~~
753 ~~written notice must include the elector's date of birth. An~~
754 ~~elector may also provide notification to other voter~~
755 ~~registration officials as provided in subsection (2). A voter~~
756 ~~information card reflecting the new information shall be issued~~

757 ~~to the elector as provided in subsection (3).~~

758 (2) When an elector ~~moves from the address named on that~~
759 ~~person's voter registration record to another address in a~~
760 ~~different county but within the state, the elector seeks to~~
761 ~~change party affiliation, the elector shall notify his or her~~
762 ~~supervisor of elections or other voter registration official by~~
763 ~~using a signed written notice with the elector's date of birth.~~
764 ~~When an ~~or the~~ elector changes his or her name of an elector is~~
765 ~~changed by marriage or other legal process, the elector shall~~
766 ~~notify his or her supervisor of elections or other provide~~
767 ~~notice of such change to a voter registration official by using~~
768 ~~a voter registration application signed by the elector. A voter~~
769 ~~information card reflecting the new information shall be issued~~
770 ~~to the elector as provided in subsection (3).~~

771 (3) The voter registration official shall make the
772 necessary changes in the elector's records as soon as practical
773 upon receipt of the ~~such~~ notice of a change of address of legal
774 residence, name, or party affiliation. The supervisor of
775 elections shall issue the new voter information card.

776 Section 8. Subsections (3) and (6) of section 98.075,
777 Florida Statutes, are amended to read:

778 98.075 Registration records maintenance activities;
779 ineligibility determinations.—

780 (3) DECEASED PERSONS.—

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

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

785 b. The United States Social Security Administration,
786 including, but not limited to, any master death file or index
787 that the administration compiles.

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

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

795 (6) OTHER BASES FOR INELIGIBILITY.—If the department or
796 supervisor receives information ~~other than~~ from ~~the~~ sources
797 other than those identified in subsections (2)-(5) that a
798 registered voter is ineligible because he or she is deceased,
799 adjudicated a convicted felon without having had his or her
800 civil rights restored, adjudicated mentally incapacitated
801 without having had his or her voting rights restored, does not
802 meet the age requirement pursuant to s. 97.041, is not a United
803 States citizen, is a fictitious person, or has listed a
804 residence that is not his or her legal residence, the supervisor
805 shall adhere to the procedures set forth in subsection (7) prior
806 to the removal of a registered voter's name from the statewide
807 voter registration system.

808 Section 9. Subsection (1) and paragraphs (e) and (f) of
809 subsection (2) of section 98.093, Florida Statutes, are amended
810 to read:

811 98.093 Duty of officials to furnish information relating
812 to ~~lists of~~ deceased persons, persons adjudicated mentally

813 incapacitated, and persons convicted of a felony.—

814 (1) In order to identify ineligible registered voters and
 815 to maintain ~~ensure the maintenance of~~ accurate and current voter
 816 registration records in the statewide voter registration system
 817 pursuant to procedures in s. 98.065 or s. 98.075, it is
 818 necessary for the department and supervisors of elections to
 819 receive or access certain information from state and federal
 820 officials and entities in the format prescribed. ~~The department~~
 821 ~~and supervisors of elections shall use the information provided~~
 822 ~~from the sources in subsection (2) to maintain the voter~~
 823 ~~registration records.~~

824 (2) To the maximum extent feasible, state and local
 825 government agencies shall facilitate provision of information
 826 and access to data to the department, including, but not limited
 827 to, databases that contain reliable criminal records and records
 828 of deceased persons. State and local government agencies that
 829 provide such data shall do so without charge if the direct cost
 830 incurred by those agencies is not significant.

831 (e) The Florida Parole Commission Board of Executive
 832 Clemency shall furnish at least bimonthly ~~monthly~~ to the
 833 department data including a list of those persons granted
 834 clemency in the preceding month or any updates to prior records
 835 which have occurred in the preceding month. The data list shall
 836 contain the commission's Board of Executive Clemency case
 837 number, name, address, date of birth, race, gender ~~sex~~, Florida
 838 driver's license number, Florida identification card number, or
 839 the last four digits of the social security number, if
 840 available, and references to record identifiers assigned by the

841 Department of Corrections and the Department of Law Enforcement,
 842 a unique identifier of each clemency case, and the effective
 843 date of clemency of each person.

844 (f) The Department of Corrections shall identify those
 845 persons who have been convicted of a felony and committed to its
 846 custody or placed on felony community supervision in a time and
 847 manner that enables ~~furnish monthly to the department to~~
 848 identify registered voters who are convicted felons and to meet
 849 obligations under state and federal law. ~~a list of those persons~~
 850 ~~transferred to the Department of Corrections in the preceding~~
 851 ~~month or any updates to prior records which have occurred in the~~
 852 ~~preceding month. The list shall contain the name, address, date~~
 853 ~~of birth, race, sex, social security number, Department of~~
 854 ~~Corrections record identification number, and associated~~
 855 ~~Department of Law Enforcement felony conviction record number of~~
 856 ~~each person.~~

857 Section 10. Effective July 1, 2012, subsections (1) and
 858 (2) of section 98.0981, Florida Statutes, are amended to read:
 859 98.0981 Reports; voting history; statewide voter
 860 registration system information; precinct-level election
 861 results; book closing statistics.—

862 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM
 863 INFORMATION.—

864 (a) Within 30 ~~45~~ days after certification by the Elections
 865 Canvassing Commission of a presidential preference primary,
 866 special election, primary election, or a general election,
 867 supervisors of elections shall transmit to the department, in a
 868 uniform electronic format specified in paragraph (d) ~~by the~~

869 ~~department~~, completely updated voting history information for
 870 each qualified voter who voted.

871 (b) After receipt of the information in paragraph (a), the
 872 department shall prepare a report in electronic format which
 873 contains the following information, separately compiled for the
 874 primary and general election for all voters qualified to vote in
 875 either election:

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

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

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

883 4. Each qualified voter's current state representative
 884 district, state senatorial district, and congressional district,
 885 assigned by the supervisor of elections;

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

887 6. Voting history as transmitted under paragraph (a) to
 888 include whether the qualified voter voted at a precinct
 889 location, voted during the early voting period, voted by
 890 absentee ballot, attempted to vote by absentee ballot that was
 891 not counted, attempted to vote by provisional ballot that was
 892 not counted, or did not vote.

893 (c) Within 45 ~~60~~ days after certification by the Elections
 894 Canvassing Commission of a presidential preference primary,
 895 special election, primary election, or a general election, the
 896 department shall send to the President of the Senate, the

897 Speaker of the House of Representatives, the Senate Minority
 898 Leader, and the House Minority Leader a report in electronic
 899 format that includes all information set forth in paragraph (b).

900 (d) File specifications are as follows:

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

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

907 b. Voted at a precinct location using a provisional ballot
 908 that was subsequently counted.

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

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

912 e. Voted by absentee ballot.

913 f. Attempted to vote by absentee ballot but the ballot was
 914 not counted.

915 g. Attempted to vote by provisional ballot but the ballot
 916 was not counted in that election.

917 2. Each file shall be created or converted into a tab-
 918 delimited format.

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

920 a. Three-character county identifier as established by the
 921 department followed by an underscore.

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

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

925 d. Followed by Date Created followed by an underscore.
 926 e. Date format is YYYYMMDD.
 927 f. Followed by Time Created - HHMMSS.
 928 g. Followed by ".txt".
 929 4. Each record shall contain the following columns: Record
 930 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote
 931 Date, Vote History Code, Precinct, Congressional District, House
 932 District, Senate District, County Commission District, and
 933 School Board District.

934 (e) Each supervisor of elections shall reconcile, before
 935 submission, the aggregate total of ballots cast in each precinct
 936 as reported in the precinct-level election results to the
 937 aggregate total number of voters with voter history for the
 938 election for each district.

939 (f) Each supervisor of elections shall submit the results
 940 of the data reconciliation as described in paragraph (e) to the
 941 department in an electronic format and give a written
 942 explanation for any precincts where the reconciliation as
 943 described in paragraph (e) results in a discrepancy between the
 944 voter history and the election results.

945 (2) (a) PRECINCT-LEVEL ELECTION RESULTS.—Within 30 ~~45~~ days
 946 after certification by the Elections Canvassing Commission ~~the~~
 947 ~~date~~ of a presidential preference primary election, a special
 948 election, primary election, or a general election, the
 949 supervisors of elections shall collect and submit to the
 950 department precinct-level election results for the election in a
 951 uniform electronic format specified by paragraph (c) ~~the~~
 952 ~~department~~. The precinct-level election results shall be

953 compiled separately for the primary or special primary election
954 that preceded the general or special general election,
955 respectively. The results shall specifically include for each
956 precinct the ~~aggregate~~ total of all ballots cast for each
957 candidate or nominee to fill a national, state, county, or
958 district office or proposed constitutional amendment, with
959 subtotals for each candidate and ballot type, unless fewer than
960 10 voters voted a ballot type. "All ballots cast" means ballots
961 cast by voters who cast a ballot whether at a precinct location,
962 by absentee ballot including overseas absentee ballots, during
963 the early voting period, or by provisional ballot.

964 (b) The department shall make such information available
965 on a searchable, sortable, and downloadable database via its
966 website that also includes the file layout and codes. The
967 database shall be searchable and sortable by county, precinct,
968 and candidate. The database shall be downloadable in a tab-
969 delimited format. The database shall be available for download
970 county-by-county and also as a statewide file. Such report shall
971 also be made available upon request.

972 (c) The files containing the precinct-level election
973 results shall be created in accordance with the applicable file
974 specification:

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

977 2. The row immediately before the first data record shall
978 contain the column names of the data elements that make up the
979 data records. There shall be one header record followed by
980 multiple data records.

981 3. The data records shall include the following columns:
 982 County Name, Election Number, Election Date, Unique Precinct
 983 Identifier, Precinct Polling Location, Total Registered Voters,
 984 Total Registered Republicans, Total Registered Democrats, Total
 985 Registered All Other Parties, Contest Name,
 986 Candidate/Retention/Issue Name, Candidate Florida Voter
 987 Registration System ID Number, Division of Elections Unique
 988 Candidate Identifying Number, Candidate Party, District,
 989 Undervote Total, Overvote Total, Write-in Total, and Vote Total.

990 Section 11. Subsections (5) and (7) of section 99.012,
 991 Florida Statutes, are amended to read:

992 99.012 Restrictions on individuals qualifying for public
 993 office.—

994 (5) If an order of a court that has become final
 995 determines that a person did not comply with this section, the
 996 person shall not be qualified as a candidate for election and
 997 his or her name may not appear on the ballot. ~~The name of any~~
 998 ~~person who does not comply with this section may be removed from~~
 999 ~~every ballot on which it appears when ordered by a circuit court~~
 1000 ~~upon the petition of an elector or the Department of State.~~

1001 (7) Nothing contained in subsection (3) relates to persons
 1002 holding any federal office or seeking the office of President or
 1003 Vice President.

1004 Section 12. Paragraphs (a) and (b) of subsection (1) of
 1005 section 99.021, Florida Statutes, are amended, and subsection
 1006 (3) is added to that section, to read:

1007 99.021 Form of candidate oath.—

1008 (1)(a)1. Each candidate, whether a party candidate, a

1009 candidate with no party affiliation, or a write-in candidate, in
 1010 order to qualify for nomination or election to any office other
 1011 than a judicial office as defined in chapter 105 or a federal
 1012 office, shall take and subscribe to an oath or affirmation in
 1013 writing. A ~~printed~~ copy of the oath or affirmation shall be made
 1014 available ~~furnished~~ to the candidate by the officer before whom
 1015 such candidate seeks to qualify and shall be substantially in
 1016 the following form:

1017
 1018 State of Florida
 1019 County of....

1020 Before me, an officer authorized to administer oaths,
 1021 personally appeared ... (please print name as you wish it to
 1022 appear on the ballot) ..., to me well known, who, being sworn,
 1023 says that he or she is a candidate for the office of; that
 1024 he or she is a qualified elector of County, Florida; that
 1025 he or she is qualified under the Constitution and the laws of
 1026 Florida to hold the office to which he or she desires to be
 1027 nominated or elected; ~~that he or she has taken the oath required~~
 1028 ~~by ss. 876.05-876.10, Florida Statutes;~~ that he or she has
 1029 qualified for no other public office in the state, the term of
 1030 which office or any part thereof runs concurrent with that of
 1031 the office he or she seeks; and that he or she has resigned from
 1032 any office from which he or she is required to resign pursuant
 1033 to s. 99.012, Florida Statutes; and that he or she will support
 1034 the Constitution of the United States and the Constitution of
 1035 the State of Florida.

1036 ... (Signature of candidate) ...

1037 | ... (Address) ...

1038 | Sworn to and subscribed before me this day of,

1039 | ... (year) ..., at County, Florida.

1040 | ... (Signature and title of officer administering oath) ...

1041 | 2. Each candidate for federal office, whether a party
 1042 | candidate, a candidate with no party affiliation, or a write-in
 1043 | candidate, in order to qualify for nomination or election to
 1044 | office shall take and subscribe to an oath or affirmation in
 1045 | writing. A ~~printed~~ copy of the oath or affirmation shall be made
 1046 | available ~~furnished~~ to the candidate by the officer before whom
 1047 | such candidate seeks to qualify and shall be substantially in
 1048 | the following form:

1049 |
 1050 | State of Florida
 1051 | County of

1052 | Before me, an officer authorized to administer oaths,
 1053 | personally appeared ... (please print name as you wish it to
 1054 | appear on the ballot) ..., to me well known, who, being sworn,
 1055 | says that he or she is a candidate for the office of; that
 1056 | he or she is qualified under the Constitution and laws of the
 1057 | United States to hold the office to which he or she desires to
 1058 | be nominated or elected; ~~and~~ that he or she has qualified for no
 1059 | other public office in the state, the term of which office or
 1060 | any part thereof runs concurrent with that of the office he or
 1061 | she seeks; and that he or she will support the Constitution of
 1062 | the United States.

1063 | ... (Signature of candidate) ...

1064 | ... (Address) ...

1065 Sworn to and subscribed before me this day of,
 1066 ... (year)...., at County, Florida.
 1067 ... (Signature and title of officer administering oath)...

1068 (b) In addition, any person seeking to qualify for
 1069 nomination as a candidate of any political party shall, at the
 1070 time of subscribing to the oath or affirmation, state in
 1071 writing:

- 1072 1. The party of which the person is a member.
- 1073 2. That the person ~~is not a registered member of any other~~
 1074 ~~political party and~~ has not been a registered member of
 1075 ~~candidate for nomination for~~ any other political party for 365
 1076 days before the beginning of qualifying ~~for a period of 6 months~~
 1077 preceding the general election for which the person seeks to
 1078 qualify.

- 1079 3. That the person has paid the assessment levied against
 1080 him or her, if any, as a candidate for said office by the
 1081 executive committee of the party of which he or she is a member.

1082 (3) This section does not apply to persons who seek to
 1083 qualify for election pursuant to the provisions of ss. 103.021
 1084 and 103.101.

1085 Section 13. Subsections (5) and (7) of section 99.061,
 1086 Florida Statutes, are amended, and subsection (11) is added to
 1087 that section, to read:

1088 99.061 Method of qualifying for nomination or election to
 1089 federal, state, county, or district office.—

1090 (5) At the time of qualifying for office, each candidate
 1091 for a constitutional office shall file a full and public
 1092 disclosure of financial interests pursuant to s. 8, Art. II of

1093 the State Constitution, duly notarized pursuant to s. 117.05,
 1094 and a candidate for any other office, including local elective
 1095 office, shall file a statement of financial interests pursuant
 1096 to s. 112.3145.

1097 (7) (a) In order for a candidate to be qualified, the
 1098 following items must be received by the filing officer by the
 1099 end of the qualifying period:

1100 1. A properly executed check drawn upon the candidate's
 1101 campaign account payable to the person or entity as prescribed
 1102 by the filing officer in an amount not less than the fee
 1103 required by s. 99.092, unless the candidate obtained the
 1104 required number of signatures on petitions ~~or, in lieu thereof,~~
 1105 ~~as applicable, the copy of the notice of obtaining ballot~~
 1106 ~~position~~ pursuant to s. 99.095. The filing fee for a special
 1107 district candidate is not required to be drawn upon the
 1108 candidate's campaign account. If a candidate's check is returned
 1109 by the bank for any reason, the filing officer shall immediately
 1110 notify the candidate and the candidate shall have until, the end
 1111 of qualifying ~~notwithstanding, have 48 hours from the time such~~
 1112 ~~notification is received, excluding Saturdays, Sundays, and~~
 1113 ~~legal holidays,~~ to pay the fee with a cashier's check purchased
 1114 from funds of the campaign account. Failure to pay the fee as
 1115 provided in this subparagraph shall disqualify the candidate.

1116 2. The candidate's oath required by s. 99.021, which must
 1117 contain the name of the candidate as it is to appear on the
 1118 ballot; the office sought, including the district or group
 1119 number if applicable; and the signature of the candidate, duly
 1120 notarized pursuant to s. 117.05 ~~acknowledged.~~

1121 ~~3. The loyalty oath required by s. 876.05, signed by the~~
 1122 ~~candidate and duly acknowledged.~~

1123 3.4. If the office sought is partisan, the written
 1124 statement of political party affiliation required by s.
 1125 99.021(1)(b).

1126 4.5. The completed form for the appointment of campaign
 1127 treasurer and designation of campaign depository, as required by
 1128 s. 106.021.

1129 5.6. The full and public disclosure or statement of
 1130 financial interests required by subsection (5). A public officer
 1131 who has filed the full and public disclosure or statement of
 1132 financial interests with the Commission on Ethics or the
 1133 supervisor of elections prior to qualifying for office may file
 1134 a copy of that disclosure at the time of qualifying.

1135 (b) If the filing officer receives qualifying papers
 1136 during the qualifying period prescribed in this section that do
 1137 not include all items as required by paragraph (a) prior to the
 1138 last day of qualifying, the filing officer shall make a
 1139 reasonable effort to notify the candidate of the missing or
 1140 incomplete items and shall inform the candidate that all
 1141 required items must be received by the close of qualifying. A
 1142 candidate's name as it is to appear on the ballot may not be
 1143 changed after the end of qualifying.

1144 (c) The filing officer performs a ministerial function in
 1145 reviewing qualifying papers. In determining whether a candidate
 1146 is qualified, the filing officer shall review the qualifying
 1147 papers to determine whether all items required by paragraph (a)
 1148 have been properly filed and whether each item is complete on

1149 its face, including whether items requiring notarizations are
 1150 properly notarized as required by s. 117.05. The filing officer
 1151 may not determine whether the contents of the qualifying papers
 1152 are accurate.

1153 (11) The decision of the filing officer concerning whether
 1154 a candidate is qualified is exempt from the provisions of
 1155 chapter 120.

1156 Section 14. Subsection (2) of section 99.063, Florida
 1157 Statutes, is amended to read:

1158 99.063 Candidates for Governor and Lieutenant Governor.—

1159 (2) No later than 5 p.m. of the 9th day following the
 1160 primary election, each designated candidate for Lieutenant
 1161 Governor shall file with the Department of State:

1162 (a) The candidate's oath required by s. 99.021, which must
 1163 contain the name of the candidate as it is to appear on the
 1164 ballot; the office sought; and the signature of the candidate,
 1165 duly acknowledged.

1166 ~~(b) The loyalty oath required by s. 876.05, signed by the~~
 1167 ~~candidate and duly acknowledged.~~

1168 (b)(e) If the office sought is partisan, the written
 1169 statement of political party affiliation required by s.
 1170 99.021(1)(b).

1171 (c)(d) The full and public disclosure of financial
 1172 interests pursuant to s. 8, Art. II of the State Constitution. A
 1173 public officer who has filed the full and public disclosure with
 1174 the Commission on Ethics prior to qualifying for office may file
 1175 a copy of that disclosure at the time of qualifying.

1176 Section 15. Subsection (1) of section 99.093, Florida

1177 Statutes, is amended to read:

1178 99.093 Municipal candidates; election assessment.—

1179 (1) Each person seeking to qualify for nomination or
 1180 election to a municipal office shall pay, at the time of
 1181 qualifying for office, an election assessment. The election
 1182 assessment shall be an amount equal to 1 percent of the annual
 1183 salary of the office sought. Within 30 days after the close of
 1184 qualifying, the qualifying officer shall forward all assessments
 1185 collected pursuant to this section to the Florida Elections
 1186 Commission ~~Department of State~~ for transfer to the Elections
 1187 Commission Trust Fund within the Department of Legal Affairs.

1188 Section 16. Paragraph (d) is added to subsection (2) of
 1189 section 99.095, Florida Statutes, to read:

1190 99.095 Petition process in lieu of a qualifying fee and
 1191 party assessment.—

1192 (2)

1193 (d) In a year of apportionment, any candidate for county
 1194 or district office seeking ballot position by the petition
 1195 process may obtain the required number of signatures from any
 1196 registered voter in the respective county, regardless of
 1197 district boundaries. The candidate shall obtain at least the
 1198 number of signatures equal to 1 percent of the total number of
 1199 registered voters, as shown by a compilation by the department
 1200 for the immediately preceding general election, divided by the
 1201 total number of districts of the office involved.

1202 Section 17. Subsections (1), (3), and (5) of section
 1203 99.097, Florida Statutes, are amended, and subsection (6) is
 1204 added to that section, to read:

1205 99.097 Verification of ~~signatures on~~ petitions.-

1206 (1) (a) As determined by each supervisor, based upon local
 1207 conditions, the checking of names on petitions may be based on
 1208 the most inexpensive and administratively feasible of either of
 1209 the following methods of verification:

1210 1.(a) A ~~name by name, signature by signature~~ check of each
 1211 petition ~~the number of authorized signatures on the petitions;~~
 1212 or

1213 2.(b) A check of a random sample, as provided by the
 1214 Department of State, of ~~names and signatures on~~ the petitions.
 1215 The sample must be such that a determination can be made as to
 1216 whether or not the required number of signatures has ~~have~~ been
 1217 obtained with a reliability of at least 99.5 percent.

1218 (b) Rules and guidelines for ~~this method of~~ petition
 1219 verification shall be adopted ~~promulgated~~ by the Department of
 1220 State. Rules and guidelines for a random-sample method of
 1221 verification, ~~which~~ may include a requirement that petitions
 1222 bear an additional number of names and signatures, not to exceed
 1223 15 percent of the names and signatures otherwise required. If
 1224 the petitions do not meet such criteria or if the petitions are
 1225 prescribed by s. 100.371, then the use of the random-sample
 1226 method of verification is ~~method described in this paragraph~~
 1227 ~~shall not be~~ available to supervisors.

1228 (3) (a) If all other requirements for the petition are met,
 1229 a signature on a petition shall be verified and counted as valid
 1230 for a registered voter if after comparing the signature on the
 1231 petition and the signature of the registered voter in the voter
 1232 registration system, the supervisor is able to determine that

1233 the petition signer is the same as the registered voter, even if
 1234 the name on the petition is not in substantially the same form
 1235 as in the voter registration system. A name on a petition, which
 1236 ~~name is not in substantially the same form as a name on the~~
 1237 ~~voter registration books, shall be counted as a valid signature~~
 1238 ~~if, after comparing the signature on the petition with the~~
 1239 ~~signature of the alleged signer as shown on the registration~~
 1240 ~~books, the supervisor determines that the person signing the~~
 1241 ~~petition and the person who registered to vote are one and the~~
 1242 ~~same.~~

1243 (b) In any situation in which this code requires the form
 1244 of the petition to be prescribed by the division, no signature
 1245 shall be counted toward the number of signatures required unless
 1246 it is on a petition form prescribed by the division.

1247 (c) ~~(b)~~ If a voter signs a petition and lists an address
 1248 other than the legal residence where the voter is registered,
 1249 the supervisor shall treat the signature as if the voter had
 1250 listed the address where the voter is registered.

1251 (5) The results of a verification pursuant to subparagraph
 1252 (1) (a) 2. ~~paragraph (1) (b)~~ may be contested in the circuit court
 1253 by the candidate; an announced opponent; a representative of a
 1254 designated political committee; or a person, party, or other
 1255 organization submitting the petition. The contestant shall file
 1256 a complaint, together with the fees prescribed in chapter 28,
 1257 with the clerk of the circuit court in the county in which the
 1258 petition is certified or in Leon County if the petition covers
 1259 more than one county within 10 days after midnight of the date
 1260 the petition is certified; and the complaint shall set forth the

1261 grounds on which the contestant intends to establish his or her
 1262 right to require a complete check of the petition ~~names and~~
 1263 ~~signatures~~ pursuant to subparagraph (1)(a)1. ~~paragraph (1)(a).~~
 1264 In the event the court orders a complete check of the petition
 1265 and the result is not changed as to the success or lack of
 1266 success of the petitioner in obtaining the requisite number of
 1267 valid signatures, then such candidate, unless the candidate has
 1268 filed the oath stating that he or she is unable to pay such
 1269 charges; announced opponent; representative of a designated
 1270 political committee; or party, person, or organization
 1271 submitting the petition, unless such person or organization has
 1272 filed the oath stating inability to pay such charges, shall pay
 1273 to the supervisor of elections of each affected county for the
 1274 complete check an amount calculated at the rate of 10 cents for
 1275 each additional signature checked or the actual cost of checking
 1276 such additional signatures, whichever is less.

1277 (6) (a) If any person is paid to solicit signatures on a
 1278 petition, an undue burden oath may not subsequently be filed in
 1279 lieu of paying the fee to have signatures verified for that
 1280 petition.

1281 (b) If an undue burden oath has been filed and payment is
 1282 subsequently made to any person to solicit signatures on a
 1283 petition, then the undue burden oath is no longer valid and a
 1284 fee for all signatures previously submitted to the supervisor of
 1285 elections and for any that are submitted thereafter shall be
 1286 paid by the candidate, person, or organization that submitted
 1287 the undue burden oath. If contributions as defined in s. 106.011
 1288 are received, any monetary contributions shall first be used to

1289 reimburse the supervisor of elections for any signature
 1290 verification fees not paid because of an undue burden oath being
 1291 filed.

1292 Section 18. Section 100.061, Florida Statutes, is amended
 1293 to read:

1294 100.061 Primary election.—In each year in which a general
 1295 election is held, a primary election for nomination of
 1296 candidates of political parties shall be held on the Tuesday 12
 1297 ~~10~~ weeks before ~~prior to~~ the general election. The candidate
 1298 receiving the highest number of votes cast in each contest in
 1299 the primary election shall be declared nominated for such
 1300 office. If two or more candidates receive an equal and highest
 1301 number of votes for the same office, such candidates shall draw
 1302 lots to determine which candidate is nominated.

1303 Section 19. Section 100.111, Florida Statutes, is amended
 1304 to read:

1305 100.111 Filling vacancy.—

1306 (1) (a) If any vacancy occurs in any office which is
 1307 required to be filled pursuant to s. 1(f), Art. IV of the State
 1308 Constitution and the remainder of the term of such office is 28
 1309 months or longer, then at the next general election a person
 1310 shall be elected to fill the unexpired portion of such term,
 1311 commencing on the first Tuesday after the first Monday following
 1312 such general election.

1313 (b) If such a vacancy occurs prior to the first day set by
 1314 law for qualifying for election to office at such general
 1315 election, any person seeking nomination or election to the
 1316 unexpired portion of the term shall qualify within the time

1317 prescribed by law for qualifying for other offices to be filled
 1318 by election at such general election.

1319 (c) If such a vacancy occurs prior to the primary election
 1320 but on or after the first day set by law for qualifying, the
 1321 Secretary of State shall set dates for qualifying for the
 1322 unexpired portion of the term of such office. Any person seeking
 1323 nomination or election to the unexpired portion of the term
 1324 shall qualify within the time set by the Secretary of State. If
 1325 time does not permit party nominations to be made in conjunction
 1326 with the primary election, the Governor may call a special
 1327 primary election to select party nominees for the unexpired
 1328 portion of such term.

1329 ~~(2) (a) If, in any state or county office required to be~~
 1330 ~~filled by election, a vacancy occurs during an election year by~~
 1331 ~~reason of the incumbent having qualified as a candidate for~~
 1332 ~~federal office pursuant to s. 99.061, no special election is~~
 1333 ~~required. Any person seeking nomination or election to the~~
 1334 ~~office so vacated shall qualify within the time prescribed by s.~~
 1335 ~~99.061 for qualifying for state or county offices to be filled~~
 1336 ~~by election.~~

1337 ~~(b) If such a vacancy occurs in an election year other~~
 1338 ~~than the one immediately preceding expiration of the present~~
 1339 ~~term, the Secretary of State shall notify the supervisor of~~
 1340 ~~elections in each county served by the office that a vacancy has~~
 1341 ~~been created. Such notice shall be provided to the supervisor of~~
 1342 ~~elections not later than the close of the first day set for~~
 1343 ~~qualifying for state or county office. The supervisor shall~~
 1344 ~~provide public notice of the vacancy in any manner the Secretary~~

1345 ~~of State deems appropriate.~~

1346 (2)~~(3)~~ Whenever there is a vacancy for which a special
1347 election is required pursuant to s. 100.101, the Governor, after
1348 consultation with the Secretary of State, shall fix the dates of
1349 a special primary election and a special election. Nominees of
1350 political parties shall be chosen under the primary laws of this
1351 state in the special primary election to become candidates in
1352 the special election. Prior to setting the special election
1353 dates, the Governor shall consider any upcoming elections in the
1354 jurisdiction where the special election will be held. The dates
1355 fixed by the Governor shall be specific days certain and shall
1356 not be established by the happening of a condition or stated in
1357 the alternative. The dates fixed shall provide a minimum of 2
1358 weeks between each election. In the event a vacancy occurs in
1359 the office of state senator or member of the House of
1360 Representatives when the Legislature is in regular legislative
1361 session, the minimum times prescribed by this subsection may be
1362 waived upon concurrence of the Governor, the Speaker of the
1363 House of Representatives, and the President of the Senate. If a
1364 vacancy occurs in the office of state senator and no session of
1365 the Legislature is scheduled to be held prior to the next
1366 general election, the Governor may fix the dates for the special
1367 primary election and for the special election to coincide with
1368 the dates of the primary election and general election. If a
1369 vacancy in office occurs in any district in the state Senate or
1370 House of Representatives or in any congressional district, and
1371 no session of the Legislature, or session of Congress if the
1372 vacancy is in a congressional district, is scheduled to be held

1373 during the unexpired portion of the term, the Governor is not
1374 required to call a special election to fill such vacancy.

1375 (a) The dates for candidates to qualify in such special
1376 election or special primary election shall be fixed by the
1377 Department of State, and candidates shall qualify not later than
1378 noon of the last day so fixed. The dates fixed for qualifying
1379 shall allow a minimum of 14 days between the last day of
1380 qualifying and the special primary election.

1381 (b) The filing of campaign expense statements by
1382 candidates in such special elections or special primaries and by
1383 committees making contributions or expenditures to influence the
1384 results of such special primaries or special elections shall be
1385 not later than such dates as shall be fixed by the Department of
1386 State, and in fixing such dates the Department of State shall
1387 take into consideration and be governed by the practical time
1388 limitations.

1389 (c) The dates for a candidate to qualify by the petition
1390 process pursuant to s. 99.095 in such special primary or special
1391 election shall be fixed by the Department of State. In fixing
1392 such dates the Department of State shall take into consideration
1393 and be governed by the practical time limitations. Any candidate
1394 seeking to qualify by the petition process in a special primary
1395 election shall obtain 25 percent of the signatures required by
1396 s. 99.095.

1397 (d) The qualifying fees and party assessments of such
1398 candidates as may qualify shall be the same as collected for the
1399 same office at the last previous primary for that office. The
1400 party assessment shall be paid to the appropriate executive

1401 committee of the political party to which the candidate belongs.

1402 (e) Each county canvassing board shall make as speedy a
 1403 return of the result of such special primary elections and
 1404 special elections as time will permit, and the Elections
 1405 Canvassing Commission likewise shall make as speedy a canvass
 1406 and declaration of the nominees as time will permit.

1407 (3)~~(4)~~(a) In the event that death, resignation,
 1408 withdrawal, or removal,~~or any other cause or event~~ should cause
 1409 a party to have a vacancy in nomination which leaves no
 1410 candidate for an office from such party, the filing officer
 1411 before whom the candidate qualified ~~Department of State~~ shall
 1412 notify the chair of the ~~appropriate state, district, or county~~
 1413 ~~political party executive committee of such party;~~ and,

1414 1. If the vacancy in nomination is for a statewide office,
 1415 the state party chair shall, within 5 days, ~~the chair shall~~ call
 1416 a meeting of his or her executive board ~~committee~~ to consider
 1417 designation of a nominee to fill the vacancy.

1418 2. If the vacancy in nomination is for the office of
 1419 United States Representative, state senator, state
 1420 representative, state attorney, or public defender, the state
 1421 party chair shall notify the appropriate county chair or chairs
 1422 and, within 5 days, the appropriate county chair or chairs shall
 1423 call a meeting of the members of the executive committee in the
 1424 affected county or counties to consider designation of a nominee
 1425 to fill the vacancy.

1426 3. If the vacancy in nomination is for a county office,
 1427 the state party chair shall notify the appropriate county chair
 1428 and, within 5 days, the appropriate county chair shall call a

1429 meeting of his or her executive committee to consider
 1430 designation of a nominee to fill the vacancy.

1431
 1432 The name of any person so designated shall be submitted to the
 1433 filing officer before whom the candidate qualified ~~Department of~~
 1434 ~~State~~ within 7 days after notice to the chair in order that the
 1435 person designated may have his or her name on the ballot of the
 1436 ensuing general election. If the name of the new nominee is
 1437 submitted after the certification of results of the preceding
 1438 primary election, however, the ballots shall not be changed and
 1439 the former party nominee's name will appear on the ballot. Any
 1440 ballots cast for the former party nominee will be counted for
 1441 the person designated by the political party to replace the
 1442 former party nominee. If there is no opposition to the party
 1443 nominee, the person designated by the political party to replace
 1444 the former party nominee will be elected to office at the
 1445 general election. ~~For purposes of this paragraph, the term~~
 1446 ~~"district political party executive committee" means the members~~
 1447 ~~of the state executive committee of a political party from those~~
 1448 ~~counties comprising the area involving a district office.~~

1449 (b) When, under the circumstances set forth in the
 1450 preceding paragraph, vacancies in nomination are required to be
 1451 filled by committee nominations, such vacancies shall be filled
 1452 by party rule. In any instance in which a nominee is selected by
 1453 a committee to fill a vacancy in nomination, such nominee shall
 1454 pay the same filing fee and take the same oath as the nominee
 1455 would have taken had he or she regularly qualified for election
 1456 to such office.

1457 (c) Any person who, at the close of qualifying as
1458 prescribed in ss. 99.061 and 105.031, was qualified for
1459 nomination or election to or retention in a public office to be
1460 filled at the ensuing general election or who attempted to
1461 qualify and failed to qualify is prohibited from qualifying as a
1462 candidate to fill a vacancy in nomination for any other office
1463 to be filled at that general election, even if such person has
1464 withdrawn or been eliminated as a candidate for the original
1465 office sought. However, this paragraph does not apply to a
1466 candidate for the office of Lieutenant Governor who applies to
1467 fill a vacancy in nomination for the office of Governor on the
1468 same ticket or to a person who has withdrawn or been eliminated
1469 as a candidate and who is subsequently designated as a candidate
1470 for Lieutenant Governor under s. 99.063.

1471 (4) A vacancy in nomination is not created if an order of
1472 a court that has become final determines that a nominee did not
1473 properly qualify or did not meet the necessary qualifications to
1474 hold the office for which he or she sought to qualify.

1475 (5) In the event of unforeseeable circumstances not
1476 contemplated in these general election laws concerning the
1477 calling and holding of special primary elections and special
1478 elections resulting from court order or other unpredictable
1479 circumstances, the Department of State shall have the authority
1480 to provide for the conduct of orderly elections.

1481 Section 20. Subsections (1), (3), (6), (7), and (8) of
1482 section 100.371, Florida Statutes, are amended to read:

1483 100.371 Initiatives; procedure for placement on ballot.—

1484 (1) Constitutional amendments proposed by initiative shall

1485 be placed on the ballot for the general election, provided the
 1486 initiative petition has been filed with the Secretary of State
 1487 no later than February 1 of the year the general election is
 1488 held. A petition shall be deemed to be filed with the Secretary
 1489 of State upon the date the secretary determines that valid and
 1490 verified petition forms have been signed by the constitutionally
 1491 required number and distribution of electors under this code,
 1492 ~~subject to the right of revocation established in this section.~~

1493 (3) An initiative petition form circulated for signature
 1494 may not be bundled with or attached to any other petition. Each
 1495 signature shall be dated when made and shall be valid for a
 1496 period of 2 4 years following such date, provided all other
 1497 requirements of law are met. The sponsor shall submit signed and
 1498 dated forms to the ~~appropriate~~ supervisor of elections for
 1499 verification as to the number of registered electors whose valid
 1500 signatures appear thereon. If the signer is a registered voter
 1501 of another county, the supervisor shall notify the petition
 1502 sponsor of the misfiled petition. The supervisor shall promptly
 1503 verify the signatures within 30 days after ~~of~~ receipt of the
 1504 petition forms and payment of the fee required by s. 99.097. The
 1505 supervisor shall promptly record, in the manner prescribed by
 1506 the Secretary of State, the date each form is received by the
 1507 supervisor, and the date the signature on the form is verified
 1508 as valid. The supervisor may verify that the signature on a form
 1509 is valid only if:

1510 (a) The form contains the original signature of the
 1511 purported elector.

1512 (b) The purported elector has accurately recorded on the

1513 form the date on which he or she signed the form.

1514 (c) The form ~~accurately~~ sets forth the purported elector's
 1515 name, ~~street~~ address, city, county, and voter registration
 1516 number or date of birth.

1517 (d) The purported elector is, at the time he or she signs
 1518 the form and at the time the form is verified, a duly qualified
 1519 and registered elector ~~authorized to vote~~ in the state county in
 1520 ~~which his or her signature is submitted~~.

1521
 1522 The supervisor shall retain the signature forms for at least 1
 1523 year following the election in which the issue appeared on the
 1524 ballot or until the Division of Elections notifies the
 1525 supervisors of elections that the committee that ~~which~~
 1526 circulated the petition is no longer seeking to obtain ballot
 1527 position.

1528 ~~(6) (a) An elector's signature on a petition form may be~~
 1529 ~~revoked within 150 days of the date on which he or she signed~~
 1530 ~~the petition form by submitting to the appropriate supervisor of~~
 1531 ~~elections a signed petition revocation form.~~

1532 ~~(b) The petition revocation form and the manner in which~~
 1533 ~~signatures are obtained, submitted, and verified shall be~~
 1534 ~~subject to the same relevant requirements and timeframes as the~~
 1535 ~~corresponding petition form and processes under this code and~~
 1536 ~~shall be approved by the Secretary of State before any signature~~
 1537 ~~on a petition revocation form is obtained.~~

1538 ~~(c) In those circumstances in which a petition revocation~~
 1539 ~~form for a corresponding initiative petition has not been~~
 1540 ~~submitted and approved, an elector may complete and submit a~~

1541 ~~standard petition revocation form directly to the supervisor of~~
1542 ~~elections. All other requirements and processes apply for the~~
1543 ~~submission and verification of the signatures as for initiative~~
1544 ~~petitions.~~

1545 ~~(d) Supervisors of elections shall provide petition-~~
1546 ~~revocation forms to the public at all main and branch offices.~~

1547 ~~(e) The petition revocation form shall be filed with the~~
1548 ~~supervisor of elections by February 1 preceding the next general~~
1549 ~~election or, if the initiative amendment is not certified for~~
1550 ~~ballot position in that election, by February 1 preceding the~~
1551 ~~next successive general election. The supervisor of elections~~
1552 ~~shall promptly verify the signature on the petition revocation~~
1553 ~~form and process such revocation upon payment, in advance, of a~~
1554 ~~fee of 10 cents or the actual cost of verifying such signature,~~
1555 ~~whichever is less. The supervisor shall promptly record each~~
1556 ~~valid and verified signature on a petition revocation form in~~
1557 ~~the manner prescribed by the Secretary of State.~~

1558 ~~(f) The division shall adopt by rule the petition-~~
1559 ~~revocation forms to be used under this subsection.~~

1560 (6)~~(7)~~ The Department of State may adopt rules in
1561 accordance with s. 120.54 to carry out the provisions of
1562 subsections (1)-(5) ~~(1)-(6)~~.

1563 (7)~~(8)~~ No provision of this code shall be deemed to
1564 prohibit a private person exercising lawful control over
1565 privately owned property, including property held open to the
1566 public for the purposes of a commercial enterprise, from
1567 excluding from such property persons seeking to engage in
1568 activity supporting or opposing initiative amendments.

1569 Section 21. Effective July 1, 2012, subsections (3) and
 1570 (4) of section 101.001, Florida Statutes, are amended to read:

1571 101.001 Precincts and polling places; boundaries.—

1572 (3) (a) Each supervisor of elections shall maintain a
 1573 suitable map drawn to a scale no smaller than 3 miles to the
 1574 inch and clearly delineating all major observable features such
 1575 as roads, streams, and railway lines and showing the current
 1576 geographical boundaries of each precinct, representative
 1577 district, and senatorial district, and other type of district in
 1578 the county subject to the elections process in this code.

1579 (b) The supervisor shall provide to the department data on
 1580 all precincts in the county associated with the most recent
 1581 decennial census blocks within each precinct.

1582 (c) The department shall maintain a searchable database
 1583 that contains the precincts and the corresponding most recent
 1584 decennial census blocks within the precincts for each county,
 1585 including a historical file that allows the census blocks to be
 1586 traced through the prior decade.

1587 (d) ~~(b)~~ The supervisor of elections shall notify the
 1588 Secretary of State in writing within 10 ~~30~~ days after any
 1589 reorganization of precincts and shall furnish a copy of the map
 1590 showing the current geographical boundaries and designation of
 1591 each new precinct. However, if precincts are composed of whole
 1592 census blocks, the supervisor may furnish, in lieu of a copy of
 1593 the map, a list, in an electronic format prescribed by the
 1594 Department of State, associating each census block in the county
 1595 with its precinct.

1596 (e) ~~(e)~~ Any precinct established or altered under the

1597 provisions of this section shall consist of areas bounded on all
 1598 sides only by census block boundaries from the most recent
 1599 United States Census. If the census block boundaries split or
 1600 conflict with another political boundary listed below, the
 1601 boundary listed below may be used:

1602 ~~1. Census block boundaries from the most recent United~~
 1603 ~~States Census;~~

1604 ~~1.2.~~ Governmental unit boundaries reported in the most
 1605 recent Boundary and Annexation Survey published by the United
 1606 States Census Bureau;

1607 ~~2.3.~~ Visible features that are readily distinguishable
 1608 upon the ground, such as streets, railroads, tracks, streams,
 1609 and lakes, and that are indicated upon current census maps,
 1610 official Department of Transportation maps, official municipal
 1611 maps, official county maps, or a combination of such maps;

1612 ~~3.4.~~ Boundaries of public parks, public school grounds, or
 1613 churches; or

1614 ~~4.5.~~ Boundaries of counties, incorporated municipalities,
 1615 or other political subdivisions that meet criteria established
 1616 by the United States Census Bureau for block boundaries.

1617 ~~(d) Until July 1, 2012, a supervisor may apply for and~~
 1618 ~~obtain from the Secretary of State a waiver of the requirement~~
 1619 ~~in paragraph (c).~~

1620 (4) (a) Within 10 days after there is any change in the
 1621 division, number, or boundaries of the precincts, or the
 1622 location of the polling places, the supervisor of elections
 1623 shall make in writing an accurate description of any new or
 1624 altered precincts, setting forth the boundary lines and shall

1625 identify the location of each new or altered polling place. A
 1626 copy of the document describing such changes shall be posted at
 1627 the supervisor's office.

1628 (b) Any changes in the county precinct data shall be
 1629 provided to the department within 10 days after a change.

1630 (c) Precinct data shall include all precincts for which
 1631 precinct-level election results and voting history results are
 1632 reported.

1633 Section 22. Subsection (1) of section 101.043, Florida
 1634 Statutes, is amended to read:

1635 101.043 Identification required at polls.—

1636 (1) The precinct register, as prescribed in s. 98.461,
 1637 shall be used at the polls for the purpose of identifying the
 1638 elector at the polls prior to allowing him or her to vote. The
 1639 clerk or inspector shall require each elector, upon entering the
 1640 polling place, to present one of the following current and valid
 1641 picture identifications:

1642 (a) Florida driver's license.

1643 (b) Florida identification card issued by the Department
 1644 of Highway Safety and Motor Vehicles.

1645 (c) United States passport.

1646 (d) Debit or credit card.

1647 (e) Military identification.

1648 (f) Student identification.

1649 (g) Retirement center identification.

1650 (h) Neighborhood association identification.

1651 (i) Public assistance identification.

1652

1653 If the picture identification does not contain the signature of
1654 the voter, an additional identification that provides the
1655 elector's ~~voter's~~ signature shall be required. The address
1656 appearing on the identification presented by the elector is not
1657 to be used as the basis to confirm an elector's legal residence
1658 or otherwise challenge an elector's legal residence. The elector
1659 shall sign his or her name in the space provided on the precinct
1660 register or on an electronic device provided for recording the
1661 elector's ~~voter's~~ signature. The clerk or inspector shall
1662 compare the signature with that on the identification provided
1663 by the elector and enter his or her initials in the space
1664 provided on the precinct register or on an electronic device
1665 provided for that purpose and allow the elector to vote if the
1666 clerk or inspector is satisfied as to the identity of the
1667 elector.

1668 Section 23. Section 101.045, Florida Statutes, is amended
1669 to read:

1670 101.045 Electors must be registered in precinct;
1671 provisions for change of residence or name.—

1672 (1) A ~~No~~ person is not ~~shall be~~ permitted to vote in any
1673 election precinct or district other than the one in which the
1674 person has his or her legal residence and in which the person is
1675 registered. However, a person temporarily residing outside the
1676 county shall be registered in the precinct in which the main
1677 office of the supervisor, as designated by the supervisor, is
1678 located when the person has no permanent address in the county
1679 and it is the person's intention to remain a resident of Florida
1680 and of the county in which he or she is registered to vote. Such

1681 persons who are registered in the precinct in which the main
 1682 office of the supervisor, as designated by the supervisor, is
 1683 located and who are residing outside the county with no
 1684 permanent address in the county shall not be registered electors
 1685 of a municipality and therefore shall not be permitted to vote
 1686 in any municipal election.

1687 (2) (a) An elector who moves from the precinct in which the
 1688 elector is registered may be permitted to vote in the precinct
 1689 to which he or she has moved his or her legal residence, if the
 1690 change of residence is within the same county and the ~~provided~~
 1691 ~~such~~ elector completes an affirmation in substantially the
 1692 following form:

1693 Change of Legal Residence of Registered
 1694 Voter

1695 Under penalties for false swearing, I, ...(Name of voter)...,
 1696 swear (or affirm) that the former address of my legal residence
 1697 was ...(Address of legal residence)... in the municipality of
 1698, in County, Florida, and I was registered to vote in
 1699 the precinct of County, Florida; that I have not voted
 1700 in the precinct of my former registration in this election; that
 1701 I now reside at ...(Address of legal residence)... in the
 1702 Municipality of, in County, Florida, and am therefore
 1703 eligible to vote in the precinct of County, Florida;
 1704 and I further swear (or affirm) that I am otherwise legally
 1705 registered and entitled to vote.

1706 ...(Signature of voter whose address of legal residence has
 1707 changed)...

1708 (b) An elector whose change of address is from outside the

1709 county may not change his or her legal residence at the polling
 1710 place and vote a regular ballot; however, such elector is
 1711 entitled to vote a provisional ballot.

1712 (c) ~~(b)~~ An elector whose name changes because of marriage
 1713 or other legal process may be permitted to vote, provided such
 1714 elector completes an affirmation in substantially the following
 1715 form:

Change of Name of Registered
 Voter

1718 Under penalties for false swearing, I, ... (New name of
 1719 voter) ..., swear (or affirm) that my name has been changed
 1720 because of marriage or other legal process. My former name and
 1721 address of legal residence appear on the registration records of
 1722 precinct as follows:

- 1723 Name
- 1724 Address
- 1725 Municipality
- 1726 County
- 1727 Florida, Zip

1728 My present name and address of legal residence are as follows:

- 1729 Name
- 1730 Address
- 1731 Municipality
- 1732 County
- 1733 Florida, Zip

1734 and I further swear (or affirm) that I am otherwise legally
 1735 registered and entitled to vote.

1736 ... (Signature of voter whose name has changed) ...

1737 (d) ~~(e)~~ Instead of the affirmation contained in paragraph
 1738 (a) or paragraph (c) ~~(b)~~, an elector may complete a voter
 1739 registration application that indicates the change of name or
 1740 change of address of legal residence.

1741 (e) ~~(d)~~ Such affirmation or application, when completed and
 1742 presented at the precinct in which such elector is entitled to
 1743 vote, and upon verification of the elector's registration, shall
 1744 entitle such elector to vote as provided in this subsection. If
 1745 the elector's eligibility to vote cannot be determined, he or
 1746 she shall be entitled to vote a provisional ballot, subject to
 1747 the requirements and procedures in s. 101.048. Upon receipt of
 1748 an affirmation or application certifying a change in address of
 1749 legal residence or name, the supervisor shall as soon as
 1750 practicable make the necessary changes in the statewide voter
 1751 registration system to indicate the change in address of legal
 1752 residence or name of such elector.

1753 Section 24. Subsection (2) of section 101.131, Florida
 1754 Statutes, is amended, and subsections (4) and (5) are added to
 1755 that section, to read:

1756 101.131 Watchers at polls.—

1757 (2) Each party, each political committee, and each
 1758 candidate requesting to have poll watchers shall designate, in
 1759 writing to the supervisor of elections, on a form prescribed by
 1760 the division, before ~~prior to~~ noon of the second Tuesday
 1761 preceding the election poll watchers for each polling room on
 1762 election day. Designations of poll watchers for early voting
 1763 areas shall be submitted in writing to the supervisor of
 1764 elections, on a form prescribed by the division, before noon at

1765 least 14 days before early voting begins. The poll watchers for
 1766 ~~each~~ polling rooms ~~room~~ shall be approved by the supervisor of
 1767 elections on or before the Tuesday before the election. Poll
 1768 watchers for early voting areas shall be approved by the
 1769 supervisor of elections no later than 7 days before early voting
 1770 begins. The supervisor shall furnish to each election board a
 1771 list of the poll watchers designated and approved for such
 1772 polling rooms ~~room~~ or early voting areas ~~area~~. Designation of
 1773 poll watchers shall be made by the chair of the county executive
 1774 committee of a political party, the chair of a political
 1775 committee, or the candidate requesting to have poll watchers.

1776 (4) All poll watchers shall be allowed to enter and watch
 1777 polls in all polling rooms and early voting areas within the
 1778 county in which they have been designated if the number of poll
 1779 watchers at any particular polling place does not exceed the
 1780 number provided in this section.

1781 (5) The supervisor of elections shall provide to each
 1782 designated poll watcher, no later than 7 days before early
 1783 voting begins, a poll watcher identification badge that
 1784 identifies the poll watcher by name. Each poll watcher shall
 1785 wear his or her identification badge while in the polling room
 1786 or early voting area.

1787 Section 25. Subsections (1), (2), and (3) of section
 1788 101.151, Florida Statutes, are amended to read:

1789 101.151 Specifications for ballots.—

1790 (1) (a) Marksense ballots shall be printed on paper of such
 1791 thickness that the printing cannot be distinguished from the
 1792 back and shall meet the specifications of the voting system that

1793 will be used to tabulate the ballots.

1794 (b) Early voting sites may employ a ballot-on-demand
 1795 production system to print individual marksense ballots,
 1796 including provisional ballots, for eligible electors pursuant to
 1797 s. 101.657. Ballot-on-demand technology may be used to produce
 1798 marksense absentee and election day ballots. ~~Not later than 30~~
 1799 ~~days before an election, the Secretary of State may also~~
 1800 ~~authorize in writing the use of ballot-on-demand technology for~~
 1801 ~~the production of election-day ballots.~~

1802 (2) (a) The ballot shall have the following office titles
 1803 ~~headings~~ under which shall appear ~~the names of the offices and~~
 1804 the names of the candidates for the respective offices in the
 1805 following order:

1806 1. The office titles of heading "President and Vice
 1807 President" and thereunder the names of the candidates for
 1808 President and Vice President of the United States nominated by
 1809 the political party that received the highest vote for Governor
 1810 in the last general election of the Governor in this state. Then
 1811 shall appear the names of other candidates for President and
 1812 Vice President of the United States who have been properly
 1813 nominated.

1814 2. The office titles ~~Then shall follow the heading~~
 1815 ~~"Congressional" and thereunder the offices~~ of United States
 1816 Senator and Representative in Congress. ~~;~~

1817 3. The office titles ~~then the heading "State" and~~
 1818 ~~thereunder the offices~~ of Governor and Lieutenant Governor; ~~;~~
 1819 Attorney General; ~~;~~ Chief Financial Officer; ~~;~~ Commissioner of
 1820 Agriculture; ~~;~~ State Attorney, with the applicable judicial

1821 circuit; and Public Defender, with the applicable judicial
 1822 circuit.

1823 ~~4. together with the names of the candidates for each~~
 1824 ~~office and the title of the office which they seek; then the~~
 1825 ~~heading "Legislative" and thereunder The office titles offices~~
 1826 ~~of State Senator and State Representative, with the applicable~~
 1827 ~~district for the office printed beneath.; then the heading~~
 1828 ~~"County" and thereunder~~

1829 5. The office titles of Clerk of the Circuit Court, or
 1830 Clerk of the Circuit Court and Comptroller (whichever is
 1831 applicable and when authorized by law), Clerk of the County
 1832 Court (when authorized by law), Sheriff, Property Appraiser, Tax
 1833 Collector, District Superintendent of Schools, and Supervisor of
 1834 Elections.

1835 6. The office titles ~~Thereafter follows: members of the~~
 1836 ~~Board of County Commissioners~~ with the applicable district
 1837 printed beneath each office, and such other county and district
 1838 offices as are involved in the election, in the order fixed by
 1839 the Department of State, followed, in the year of their
 1840 election, by "Party Offices," and thereunder the offices of
 1841 state and county party executive committee members.

1842 (b) In a general election, in addition to the names
 1843 printed on the ballot, a blank space shall be provided under
 1844 each ~~heading for an~~ office for which a write-in candidate has
 1845 qualified. With respect to write-in candidates, if two or more
 1846 candidates are seeking election to one office, only one blank
 1847 space shall be provided.

1848 (c) ~~(b)~~ When more than one candidate is nominated for

1849 office, the candidates for such office shall qualify and run in
 1850 a group or district, and the group or district number shall be
 1851 printed beneath the name of the office. Each nominee of a
 1852 political party chosen in a primary shall appear on the general
 1853 election ballot in the same numbered group or district as on the
 1854 primary election ballot.

1855 (d)~~(e)~~ If in any election all the offices as set forth in
 1856 paragraph (a) are not involved, those offices not to be filled
 1857 shall be omitted and the remaining offices shall be arranged on
 1858 the ballot in the order named.

1859 (3) (a) The names of the candidates of the party that
 1860 received the highest number of votes for Governor in the last
 1861 election in which a Governor was elected shall be placed first
 1862 ~~under the heading~~ for each office on the general election
 1863 ballot, together with an appropriate abbreviation of the party
 1864 name; the names of the candidates of the party that received the
 1865 second highest vote for Governor shall be placed second ~~under~~
 1866 ~~the heading~~ for each office, together with an appropriate
 1867 abbreviation of the party name.

1868 (b) Minor political party candidates ~~and candidates with~~
 1869 ~~no party affiliation~~ shall have their names appear on the
 1870 general election ballot following the names of recognized
 1871 political parties, in the ~~same~~ order as they were qualified,
 1872 followed by the names of candidates with no party affiliation,
 1873 in the order as they were qualified ~~certified~~.

1874 Section 26. Paragraph (a) of subsection (2) of section
 1875 101.5605, Florida Statutes, is amended to read:

1876 101.5605 Examination and approval of equipment.—

1877 (2) (a) Any person owning or interested in an electronic or
 1878 electromechanical voting system may submit it to the Department
 1879 of State for examination. The vote counting segment shall be
 1880 certified after a satisfactory evaluation testing has been
 1881 performed according to s. 101.015(1) ~~electronic industry~~
 1882 ~~standards~~. This testing shall include, but is not limited to,
 1883 testing of all software required for the voting system's
 1884 operation; the ballot reader; the rote processor, especially in
 1885 its logic and memory components; the digital printer; the fail-
 1886 safe operations; the counting center environmental requirements;
 1887 and the equipment reliability estimate. For the purpose of
 1888 assisting in examining the system, the department shall employ
 1889 or contract for services of at least one individual who is
 1890 expert in one or more fields of data processing, mechanical
 1891 engineering, and public administration and shall require from
 1892 the individual a written report of his or her examination.

1893 Section 27. Subsection (11) of section 101.5606, Florida
 1894 Statutes, is amended to read:

1895 101.5606 Requirements for approval of systems.—No
 1896 electronic or electromechanical voting system shall be approved
 1897 by the Department of State unless it is so constructed that:

1898 (11) It is capable of automatically producing precinct
 1899 totals in printed, ~~marked, or punched form, or a combination~~
 1900 ~~thereof~~.

1901 Section 28. Subsection (4) is added to section 101.56075,
 1902 Florida Statutes, to read:

1903 101.56075 Voting methods.—

1904 (4) By December 31, 2013, all voting systems utilized by

1905 voters during a state election shall permit placement on the
 1906 ballot of the full text of a constitutional amendment containing
 1907 stricken or underlined text.

1908 Section 29. Paragraph (a) of subsection (4) of section
 1909 101.5612, Florida Statutes, is amended to read:

1910 101.5612 Testing of tabulating equipment.-

1911 (4) (a)1. For electronic or electromechanical voting
 1912 systems configured to include electronic or electromechanical
 1913 tabulation devices which are distributed to the precincts, all
 1914 or a sample of the devices to be used in the election shall be
 1915 publicly tested. If a sample is to be tested, the sample shall
 1916 consist of a random selection of at least 5 percent or 10 of the
 1917 devices for an optical scan system ~~or 2 percent of the devices~~
 1918 ~~for a touchscreen system or 10 of the devices for either system,~~
 1919 ~~as applicable,~~ whichever is greater. For touchscreen systems
 1920 used for voters with disabilities, a sample of at least 2
 1921 percent of the devices must be tested. The test shall be
 1922 conducted by processing a group of ballots, causing the device
 1923 to output results for the ballots processed, and comparing the
 1924 output of results to the results expected for the ballots
 1925 processed. The group of ballots shall be produced so as to
 1926 record a predetermined number of valid votes for each candidate
 1927 and on each measure and to include for each office one or more
 1928 ballots which have activated voting positions in excess of the
 1929 number allowed by law in order to test the ability of the
 1930 tabulating device to reject such votes.

1931 2. If any tested tabulating device is found to have an
 1932 error in tabulation, it shall be deemed unsatisfactory. For each

1933 device deemed unsatisfactory, the canvassing board shall take
 1934 steps to determine the cause of the error, shall attempt to
 1935 identify and test other devices that could reasonably be
 1936 expected to have the same error, and shall test a number of
 1937 additional devices sufficient to determine that all devices are
 1938 satisfactory. Upon deeming any device unsatisfactory, the
 1939 canvassing board may require all devices to be tested or may
 1940 declare that all devices are unsatisfactory.

1941 3. If the operation or output of any tested tabulation
 1942 device, such as spelling or the order of candidates on a report,
 1943 is in error, such problem shall be reported to the canvassing
 1944 board. The canvassing board shall then determine if the reported
 1945 problem warrants its deeming the device unsatisfactory.

1946 Section 30. Subsection (4) of section 101.5614, Florida
 1947 Statutes, is amended to read:

1948 101.5614 Canvass of returns.—

1949 (4) ~~If ballot cards are used, and separate write-in~~
 1950 ~~ballots or envelopes for casting write-in votes are used, write-~~
 1951 ~~in ballots or the envelopes on which write-in ballots have been~~
 1952 ~~cast shall be serially numbered, starting with the number one,~~
 1953 ~~and the same number shall be placed on the ballot card of the~~
 1954 ~~voter. This process may be completed at either the precinct by~~
 1955 ~~the election board or at the central counting location.~~ For each
 1956 ballot or ballot image ~~and ballot envelope~~ on which write-in
 1957 votes have been cast, the canvassing board shall compare the
 1958 write-in votes with the votes cast on the ballot card. ‡ If the
 1959 total number of votes for any office exceeds the number allowed
 1960 by law, ~~a notation to that effect, specifying the office~~

1961 ~~involved, shall be entered on the back of the ballot card or in~~
 1962 ~~a margin if voting areas are printed on both sides of the ballot~~
 1963 ~~card.~~ such votes shall not be counted. All valid votes shall be
 1964 tallied by the canvassing board.

1965 Section 31. Subsection (6) is added to section 101.591,
 1966 Florida Statutes, to read:

1967 101.591 Voting system audit.—

1968 (6) If a manual recount is undertaken pursuant to s.
 1969 102.166, the canvassing board is not required to perform the
 1970 audit provided for in this section.

1971 Section 32. Paragraphs (a) and (b) of subsection (1) and
 1972 subsections (3) and (4) of section 101.62, Florida Statutes, are
 1973 amended to read:

1974 101.62 Request for absentee ballots.—

1975 (1) (a) The supervisor shall accept a request for an
 1976 absentee ballot from an elector in person or in writing. One
 1977 request shall be deemed sufficient to receive an absentee ballot
 1978 for all elections through the end of the calendar year of the
 1979 next two regularly scheduled general elections ~~election~~, unless
 1980 the elector or the elector's designee indicates at the time the
 1981 request is made the elections for which the elector desires to
 1982 receive an absentee ballot. Such request may be considered
 1983 canceled when any first-class mail sent by the supervisor to the
 1984 elector is returned as undeliverable.

1985 (b) The supervisor may accept a written or telephonic
 1986 request for an absentee ballot from the elector, or, if directly
 1987 instructed by the elector, a member of the elector's immediate
 1988 family, or the elector's legal guardian. For purposes of this

1989 section, the term "immediate family" has the same meaning as
 1990 specified in paragraph (4) (c) ~~(b)~~. The person making the request
 1991 must disclose:

- 1992 1. The name of the elector for whom the ballot is
- 1993 requested.
- 1994 2. The elector's address.
- 1995 3. The elector's date of birth.
- 1996 4. The requester's name.
- 1997 5. The requester's address.
- 1998 6. The requester's driver's license number, if available.
- 1999 7. The requester's relationship to the elector.
- 2000 8. The requester's signature (written requests only).

2001 (3) For each request for an absentee ballot received, the
 2002 supervisor shall record the date the request was made, the date
 2003 the absentee ballot was delivered to the voter or the voter's
 2004 designee or the date the absentee ballot was delivered to the
 2005 post office or other carrier, the date the ballot was received
 2006 by the supervisor, and such other information he or she may deem
 2007 necessary. This information shall be provided in electronic
 2008 format as provided by rule adopted by the division. The
 2009 information shall be updated and made available no later than 8
 2010 a.m. noon of each day, including weekends, beginning 60 days
 2011 before the primary until 15 days after the general election and
 2012 shall be contemporaneously provided to the division. This
 2013 information shall be confidential and exempt from the provisions
 2014 of s. 119.07(1) and shall be made available to or reproduced
 2015 only for the voter requesting the ballot, a canvassing board, an
 2016 election official, a political party or official thereof, a

2017 candidate who has filed qualification papers and is opposed in
 2018 an upcoming election, and registered political committees or
 2019 registered committees of continuous existence, for political
 2020 purposes only.

2021 (4) (a) No later than 45 days before each presidential
 2022 preference primary election, primary election, and general
 2023 election, the supervisor of elections shall send an absentee
 2024 ballot as provided in subparagraph (c)2. ~~(b)2.~~ to each absent
 2025 uniformed services voter and to each overseas voter who has
 2026 requested an absentee ballot.

2027 (b) The supervisor of elections shall mail an absentee
 2028 ballot to each absent qualified voter, other than those listed
 2029 in paragraph (a), who has requested such a ballot, between the
 2030 35th and 28th days before the presidential preference primary
 2031 election, primary election, and general election. Except as
 2032 otherwise provided in subsection (2) and after the period
 2033 described in this paragraph, the supervisor shall mail absentee
 2034 ballots within 2 business days after receiving a request for
 2035 such a ballot.

2036 (c) ~~(b)~~ The supervisor shall provide an absentee ballot to
 2037 each elector by whom a request for that ballot has been made by
 2038 one of the following means:

2039 1. By nonforwardable, return-if-undeliverable mail to the
 2040 elector's current mailing address on file with the supervisor or
 2041 ~~, unless the elector specifies in the request that:~~

2042 ~~a. The elector is absent from the county and does not plan~~
 2043 ~~to return before the day of the election;~~

2044 ~~b. The elector is temporarily unable to occupy the~~

2045 ~~residence because of hurricane, tornado, flood, fire, or other~~
 2046 ~~emergency or natural disaster; or~~

2047 ~~e. The elector is in a hospital, assisted living facility,~~
 2048 ~~nursing home, short-term medical or rehabilitation facility, or~~
 2049 ~~correctional facility,~~

2050
 2051 ~~in which case the supervisor shall mail the ballot by~~
 2052 ~~nonforwardable, return-if-undeliverable mail to any other~~
 2053 ~~address the elector specifies in the request.~~

2054 2. By forwardable mail, e-mail, or facsimile machine
 2055 transmission to absent uniformed services voters and overseas
 2056 voters. The absent uniformed services voter or overseas voter
 2057 may designate in the absentee ballot request the preferred
 2058 method of transmission. If the voter does not designate the
 2059 method of transmission, the absentee ballot shall be mailed.

2060 3. By personal delivery before 7 p.m. on election day to
 2061 the elector, upon presentation of the identification required in
 2062 s. 101.043.

2063 4. By delivery to a designee on election day or up to 5
 2064 days prior to the day of an election. Any elector may designate
 2065 in writing a person to pick up the ballot for the elector;
 2066 however, the person designated may not pick up more than two
 2067 absentee ballots per election, other than the designee's own
 2068 ballot, except that additional ballots may be picked up for
 2069 members of the designee's immediate family. For purposes of this
 2070 section, "immediate family" means the designee's spouse or the
 2071 parent, child, grandparent, or sibling of the designee or of the
 2072 designee's spouse. The designee shall provide to the supervisor

2073 the written authorization by the elector and a picture
2074 identification of the designee and must complete an affidavit.
2075 The designee shall state in the affidavit that the designee is
2076 authorized by the elector to pick up that ballot and shall
2077 indicate if the elector is a member of the designee's immediate
2078 family and, if so, the relationship. The department shall
2079 prescribe the form of the affidavit. If the supervisor is
2080 satisfied that the designee is authorized to pick up the ballot
2081 and that the signature of the elector on the written
2082 authorization matches the signature of the elector on file, the
2083 supervisor shall give the ballot to that designee for delivery
2084 to the elector.

2085 Section 33. Section 101.65, Florida Statutes, is amended
2086 to read:

2087 101.65 Instructions to absent electors.—The supervisor
2088 shall enclose with each absentee ballot separate printed
2089 instructions in substantially the following form:

2090

2091 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

2092 1. VERY IMPORTANT. In order to ensure that your absentee
2093 ballot will be counted, it should be completed and returned as
2094 soon as possible so that it can reach the supervisor of
2095 elections of the county in which your precinct is located no
2096 later than 7 p.m. on the day of the election.

2097 2. Mark your ballot in secret as instructed on the ballot.
2098 You must mark your own ballot unless you are unable to do so
2099 because of blindness, disability, or inability to read or write.

2100 3. Mark only the number of candidates or issue choices for

2101 a race as indicated on the ballot. If you are allowed to "Vote
2102 for One" candidate and you vote for more than one candidate,
2103 your vote in that race will not be counted.

2104 4. Place your marked ballot in the enclosed secrecy
2105 envelope.

2106 5. Insert the secrecy envelope into the enclosed mailing
2107 envelope which is addressed to the supervisor.

2108 6. Seal the mailing envelope and completely fill out the
2109 Voter's Certificate on the back of the mailing envelope.

2110 7. VERY IMPORTANT. In order for your absentee ballot to be
2111 counted, you must sign your name on the line above (Voter's
2112 Signature). An absentee ballot will be considered illegal and
2113 will not be counted if the signature on the voter's certificate
2114 does not match the signature on record. The signature on file at
2115 the start of the canvass of the absentee ballots is the
2116 signature that will be used to verify your signature on the
2117 voter's certificate. If you need to update your signature for
2118 this election, send your signature update on a voter
2119 registration application to your supervisor of elections so that
2120 it is received no later than the start of the canvassing of
2121 absentee ballots, which occurs no earlier than the 15th day
2122 before election day.

2123 8. VERY IMPORTANT. If you are an overseas voter, you must
2124 include the date you signed the Voter's Certificate on the line
2125 above (Date) or your ballot may not be counted.

2126 9. Mail, deliver, or have delivered the completed mailing
2127 envelope. Be sure there is sufficient postage if mailed.

2128 10. FELONY NOTICE. It is a felony under Florida law to

2129 accept any gift, payment, or gratuity in exchange for your vote
 2130 for a candidate. It is also a felony under Florida law to vote
 2131 in an election using a false identity or false address, or under
 2132 any other circumstances making your ballot false or fraudulent.

2133 Section 34. Paragraph (a) of subsection (2) of section
 2134 101.68, Florida Statutes, is amended to read:

2135 101.68 Canvassing of absentee ballot.—

2136 (2) (a) The county canvassing board may begin the
 2137 canvassing of absentee ballots at 7 a.m. on the 15th ~~sixth~~ day
 2138 before the election, but not later than noon on the day
 2139 following the election. In addition, for any county using
 2140 electronic tabulating equipment, the processing of absentee
 2141 ballots through such tabulating equipment may begin at 7 a.m. on
 2142 the 15th ~~sixth~~ day before the election. However, notwithstanding
 2143 any such authorization to begin canvassing or otherwise
 2144 processing absentee ballots early, no result shall be released
 2145 until after the closing of the polls in that county on election
 2146 day. Any supervisor of elections, deputy supervisor of
 2147 elections, canvassing board member, election board member, or
 2148 election employee who releases the results of a canvassing or
 2149 processing of absentee ballots prior to the closing of the polls
 2150 in that county on election day commits a felony of the third
 2151 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 2152 775.084.

2153 Section 35. Subsection (2) of section 101.6923, Florida
 2154 Statutes, is amended to read:

2155 101.6923 Special absentee ballot instructions for certain
 2156 first-time voters.—

2157 (2) A voter covered by this section shall be provided with
2158 printed instructions with his or her absentee ballot in
2159 substantially the following form:

2160

2161 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
2162 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
2163 TO COUNT.

2164

2165 1. In order to ensure that your absentee ballot will be
2166 counted, it should be completed and returned as soon as possible
2167 so that it can reach the supervisor of elections of the county
2168 in which your precinct is located no later than 7 p.m. on the
2169 date of the election.

2170 2. Mark your ballot in secret as instructed on the ballot.
2171 You must mark your own ballot unless you are unable to do so
2172 because of blindness, disability, or inability to read or write.

2173 3. Mark only the number of candidates or issue choices for
2174 a race as indicated on the ballot. If you are allowed to "Vote
2175 for One" candidate and you vote for more than one, your vote in
2176 that race will not be counted.

2177 4. Place your marked ballot in the enclosed secrecy
2178 envelope and seal the envelope.

2179 5. Insert the secrecy envelope into the enclosed envelope
2180 bearing the Voter's Certificate. Seal the envelope and
2181 completely fill out the Voter's Certificate on the back of the
2182 envelope.

2183 a. You must sign your name on the line above (Voter's
2184 Signature).

2185 b. If you are an overseas voter, you must include the date
 2186 you signed the Voter's Certificate on the line above (Date) or
 2187 your ballot may not be counted.

2188 c. An absentee ballot will be considered illegal and will
 2189 not be counted if the signature on the voter's certificate does
 2190 not match the signature on record. The signature on file at the
 2191 start of the canvass of the absentee ballots is the signature
 2192 that will be used to verify your signature on the voter's
 2193 certificate. If you need to update your signature for this
 2194 election, send your signature update on a voter registration
 2195 application to your supervisor of elections so that it is
 2196 received no later than the start of canvassing of absentee
 2197 ballots, which occurs no earlier than the 15th day before
 2198 election day.

2199 6. Unless you meet one of the exemptions in Item 7., you
 2200 must make a copy of one of the following forms of
 2201 identification:

2202 a. Identification which must include your name and
 2203 photograph: United States passport; debit or credit card;
 2204 military identification; student identification; retirement
 2205 center identification; neighborhood association identification;
 2206 or public assistance identification; or

2207 b. Identification which shows your name and current
 2208 residence address: current utility bill, bank statement,
 2209 government check, paycheck, or government document (excluding
 2210 voter identification card).

2211 7. The identification requirements of Item 6. do not apply
 2212 if you meet one of the following requirements:

- 2213 a. You are 65 years of age or older.
- 2214 b. You have a temporary or permanent physical disability.
- 2215 c. You are a member of a uniformed service on active duty
- 2216 who, by reason of such active duty, will be absent from the
- 2217 county on election day.
- 2218 d. You are a member of the Merchant Marine who, by reason
- 2219 of service in the Merchant Marine, will be absent from the
- 2220 county on election day.
- 2221 e. You are the spouse or dependent of a member referred to
- 2222 in paragraph c. or paragraph d. who, by reason of the active
- 2223 duty or service of the member, will be absent from the county on
- 2224 election day.
- 2225 f. You are currently residing outside the United States.
- 2226 8. Place the envelope bearing the Voter's Certificate into
- 2227 the mailing envelope addressed to the supervisor. Insert a copy
- 2228 of your identification in the mailing envelope. DO NOT PUT YOUR
- 2229 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
- 2230 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
- 2231 BALLOT WILL NOT COUNT.
- 2232 9. Mail, deliver, or have delivered the completed mailing
- 2233 envelope. Be sure there is sufficient postage if mailed.
- 2234 10. FELONY NOTICE. It is a felony under Florida law to
- 2235 accept any gift, payment, or gratuity in exchange for your vote
- 2236 for a candidate. It is also a felony under Florida law to vote
- 2237 in an election using a false identity or false address, or under
- 2238 any other circumstances making your ballot false or fraudulent.
- 2239 Section 36. Subsection (3) of section 101.75, Florida
- 2240 Statutes, is amended to read:

2241 101.75 Municipal elections; change of dates for cause.—

2242 (3) Notwithstanding any provision of local law or
 2243 municipal charter, the governing body of a municipality may, by
 2244 ordinance, move the date of any municipal election to a date
 2245 concurrent with any statewide or countywide election. The dates
 2246 for qualifying for the election moved by the passage of such
 2247 ordinance shall be specifically provided for in the ordinance
 2248 ~~and shall run for no less than 14 days~~. The term of office for
 2249 any elected municipal official shall commence as provided by the
 2250 relevant municipal charter or ordinance.

2251 Section 37. Subsection (4) of section 102.031, Florida
 2252 Statutes, is amended to read:

2253 102.031 Maintenance of good order at polls; authorities;
 2254 persons allowed in polling rooms and early voting areas;
 2255 unlawful solicitation of voters.—

2256 (4) (a) A ~~No~~ person, political committee, committee of
 2257 continuous existence, or other group or organization may not
 2258 solicit voters inside the polling place or within 100 feet of
 2259 the entrance to any polling place, or polling room where the
 2260 polling place is also a polling room, or early voting site.

2261 (b) A person, political committee, committee of continuous
 2262 existence, or other group or organization may not solicit voters
 2263 who are standing in line to enter any polling place, polling
 2264 room, or early voting site.

2265 (c) Before the opening of the polling place or early
 2266 voting site, the clerk or supervisor shall designate the no-
 2267 solicitation zone and mark the boundaries and shall post a sign
 2268 stating that no one may solicit a person standing in line to

2269 vote.

2270 (d) ~~(b)~~ For the purpose of this subsection, whether in
 2271 person or by means of audio or visual equipment, the terms
 2272 "solicit" or "solicitation" shall include, but not be limited
 2273 to, seeking or attempting to seek any vote, fact, opinion, or
 2274 contribution; distributing or attempting to distribute any
 2275 political or campaign material, leaflet, or handout; conducting
 2276 a poll except as specified in this paragraph; seeking or
 2277 attempting to seek a signature on any petition; offering voting
 2278 or legal advice regarding voting or ballots; and selling or
 2279 attempting to sell any item. The terms "solicit" or
 2280 "solicitation" shall not be construed to prohibit exit polling.

2281 (e) ~~(e)~~ Each supervisor of elections shall inform the clerk
 2282 of the area within which soliciting is unlawful, based on the
 2283 particular characteristics of that polling place. The supervisor
 2284 or the clerk may take any reasonable action necessary to ensure
 2285 order at the polling places, including, but not limited to,
 2286 having disruptive and unruly persons removed by law enforcement
 2287 officers from the polling room or place or from the 100-foot
 2288 zone surrounding the polling place.

2289 Section 38. Subsection (4) of section 102.141, Florida
 2290 Statutes, is amended to read:

2291 102.141 County canvassing board; duties.—

2292 (4) The canvassing board shall report all early voting and
 2293 all tabulated absentee results to the Department of State within
 2294 30 minutes after the polls close. Thereafter, the canvassing
 2295 board shall report, with the exception of provisional ballot
 2296 results, updated precinct election results to the department at

2297 least every 45 minutes until all results are completely
 2298 reported. The supervisor of elections shall notify the
 2299 department immediately of any circumstances that do not permit
 2300 periodic updates as required. Results shall be submitted in a
 2301 format prescribed by the department ~~submit by 11:59 p.m. on~~
 2302 ~~election night the preliminary returns it has received to the~~
 2303 ~~Department of State in a format provided by the department.~~

2304 Section 39. Subsection (4) of section 102.168, Florida
 2305 Statutes, is amended, and subsection (8) is added to that
 2306 section, to read:

2307 102.168 Contest of election.—

2308 (4) The ~~county~~ canvassing board responsible for canvassing
 2309 the election is an indispensable ~~and proper~~ party defendant in
 2310 county and local elections. ~~;~~ The Elections Canvassing Commission
 2311 is an indispensable ~~and proper~~ party defendant in federal,
 2312 state, and multicounty elections and in elections for justice of
 2313 the Supreme Court, judge of a district court of appeal, and
 2314 judge of a circuit court. ~~races; and~~ The successful candidate is
 2315 an indispensable party to any action brought to contest the
 2316 election or nomination of a candidate.

2317 (8) In any contest that requires a review of a canvassing
 2318 board's decision that an absentee ballot is illegal under s.
 2319 101.68, because the signature of the elector on the voter's
 2320 certificate is not the signature of the elector in the
 2321 registration records, the circuit court may not look at or
 2322 consider any evidence beyond the elector's signature on the
 2323 voter's certificate and in the registration records. The court's
 2324 review of the issue shall be to determine only if the canvassing

2325 board abused its discretion in making its decision.

2326 Section 40. Subsection (4) of section 103.021, Florida
 2327 Statutes, is amended to read:

2328 103.021 Nomination for presidential electors.—Candidates
 2329 for presidential electors shall be nominated in the following
 2330 manner:

2331 (4) (a) A minor political party that is affiliated with a
 2332 national party holding a national convention to nominate
 2333 candidates for President and Vice President of the United States
 2334 may have the names of its candidates for President and Vice
 2335 President of the United States printed on the general election
 2336 ballot by filing with the Department of State a certificate
 2337 naming the candidates for President and Vice President and
 2338 listing the required number of persons to serve as electors.
 2339 Notification to the Department of State under this subsection
 2340 shall be made by September 1 of the year in which the election
 2341 is held. When the Department of State has been so notified, it
 2342 shall order the names of the candidates nominated by the minor
 2343 political party to be included on the ballot and shall permit
 2344 the required number of persons to be certified as electors in
 2345 the same manner as other party candidates. As used in this
 2346 section, the term "national party" means a political party that
 2347 is registered with and recognized as a qualified national
 2348 committee of a political party by the Federal Election
 2349 Commission ~~established and admitted to the ballot in at least~~
 2350 ~~one state other than Florida.~~

2351 (b) A minor political party that is not affiliated with a
 2352 national party holding a national convention to nominate

2353 candidates for President and Vice President of the United States
 2354 may have the names of its candidates for President and Vice
 2355 President printed on the general election ballot if a petition
 2356 is signed by a number of electors in each of one half of the
 2357 congressional districts of the state, and of the state as a
 2358 whole, equal to 4 percent of the votes cast in each of such
 2359 districts respectively and in the state as a whole in the last
 2360 preceding election in which presidential electors were chosen ~~±~~
 2361 ~~percent of the registered electors of this state,~~ as shown by
 2362 the compilation by the Department of State ~~for the preceding~~
 2363 ~~general election.~~ A separate petition from each county for which
 2364 signatures are solicited shall be submitted to the supervisors
 2365 of elections of the respective county no later than July 15 of
 2366 each presidential election year. The supervisor shall check the
 2367 names and, on or before the date of the primary election, shall
 2368 certify the number shown as registered electors of the county.
 2369 The supervisor shall be paid by the person requesting the
 2370 certification the cost of checking the petitions as prescribed
 2371 in s. 99.097. The supervisor shall then forward the certificate
 2372 to the Department of State, which shall determine whether or not
 2373 the percentage factor required in this section has been met.
 2374 When the percentage factor required in this section has been
 2375 met, the Department of State shall order the names of the
 2376 candidates for whom the petition was circulated to be included
 2377 on the ballot and shall permit the required number of persons to
 2378 be certified as electors in the same manner as other party
 2379 candidates.

2380 Section 41. Section 103.095, Florida Statutes, is created

2381 to read:

2382 103.095 Minor political parties.—

2383 (1) Any group of citizens organized for the general
 2384 purposes of electing to office qualified persons and determining
 2385 public issues under the democratic processes of the United
 2386 States may become a minor political party of this state by
 2387 filing with the department a certificate showing the name of the
 2388 organization, the names and addresses of its current officers,
 2389 including the members of its executive committee, accompanied by
 2390 a completed uniform statewide voter registration application as
 2391 specified in s. 97.052 for each of its current officers and
 2392 members of its executive committee which reflect their
 2393 affiliation with the proposed minor political party, and a copy
 2394 of its constitution, bylaws, and rules and regulations.

2395 (2) All electors registered to vote in the minor political
 2396 party in which he or she has so designated has a fundamental
 2397 right to fully and meaningfully participate in the business and
 2398 affairs of the minor political party without any monetary
 2399 encumbrance. The constitution, bylaws, rules, regulations, or
 2400 other equivalent documents must reflect this fundamental right
 2401 and must provide for and contain reasonable provisions which at
 2402 a minimum must prescribe procedures to: prescribe its
 2403 membership, conduct its meetings according to generally accepted
 2404 parliamentary practices, timely notify its members as to the
 2405 time, date, and place of all of its meetings, timely publish
 2406 notice on its public and functioning website as to the time,
 2407 date, and place of all of its meetings, elect its officers,
 2408 remove its officers, make party nominations when required by

2409 law, conduct campaigns for party nominees, raise and expend
2410 party funds, select delegates to its national convention, select
2411 presidential electors, and alter or amend all of its governing
2412 documents.

2413 (3) The members of the executive committee must elect a
2414 chair, vice chair, secretary, and treasurer, all of whom shall
2415 be members of the minor political party and no member may hold
2416 more than one office, except that one person may hold the
2417 offices of secretary and treasurer.

2418 (4) Upon approval of the minor political party's filing,
2419 the department shall process the voter registration applications
2420 submitted by the minor political party's officers and members of
2421 its executive committee. It shall be the duty of the minor
2422 political party to notify the department of any changes in the
2423 filing certificate within 5 days after such changes.

2424 (5) The Division of Elections shall adopt rules to
2425 prescribe the manner in which political parties, including minor
2426 political parties, may have their filings with the Department of
2427 State canceled. Such rules shall, at a minimum, provide for:

2428 (a) Notice, which must contain the facts and conduct that
2429 warrant the intended action, including, but not limited to, the
2430 failure to have any voters registered in the party, the failure
2431 to notify the department of replacement officers, and the
2432 failure to file campaign finance reports, the failure to adopt
2433 or file with the department all governing documents containing
2434 the provisions specified in subsection (2), and limited
2435 activity.

2436 (b) Adequate opportunity to respond.

2437 (c) Appeal of the decision to the Florida Elections
 2438 Commission. Such appeals are exempt from the confidentiality
 2439 provisions of s. 106.25.

2440 (6) The requirements of this section are retroactive for
 2441 any minor political party registered with the department on July
 2442 1, 2011, and must be complied with within 180 days after the
 2443 department provides notice to the minor political party of the
 2444 requirements contained in this section. Failure of the minor
 2445 political party to comply with the requirements within 180 days
 2446 after receipt of the notice shall automatically result in the
 2447 cancellation of the minor political party's registration.

2448 Section 42. Subsections (1) and (2) of section 103.101,
 2449 Florida Statutes, are amended to read:

2450 103.101 Presidential preference primary.—

2451 (1)(a) There shall be a Presidential Preference Primary
 2452 Date Selection Committee composed of the Secretary of State, who
 2453 shall be a nonvoting chair; three members, no more than two of
 2454 whom may be from the same political party, appointed by the
 2455 Governor; three members, no more than two of whom may be from
 2456 the same political party, appointed by the Speaker of the House
 2457 of Representatives; and three members, no more than two of whom
 2458 may be from the same political party, appointed by the President
 2459 of the Senate. No later than October 1 of the year preceding the
 2460 presidential preference primary, the committee shall meet and
 2461 set a date for the presidential preference primary. The date
 2462 selected may be no earlier than the first Tuesday in January and
 2463 no later than the first Tuesday in March in the year of the
 2464 presidential preference primary. The presidential preference

2465 primary shall be held in each year the number of which is a
 2466 multiple of four.

2467 (b) Each political party other than a minor political
 2468 party shall, on the date selected by the Presidential Preference
 2469 Primary Date Selection Committee ~~last Tuesday in January~~ in each
 2470 year the number of which is a multiple of 4, elect one person to
 2471 be the candidate for nomination of such party for President of
 2472 the United States or select delegates to the national nominating
 2473 convention, ~~as provided by party rule.~~

2474 ~~(2)(a) There shall be a Presidential Candidate Selection~~
 2475 ~~Committee composed of the Secretary of State, who shall be a~~
 2476 ~~nonvoting chair; the Speaker of the House of Representatives;~~
 2477 ~~the President of the Senate; the minority leader of each house~~
 2478 ~~of the Legislature; and the chair of each political party~~
 2479 ~~required to have a presidential preference primary under this~~
 2480 ~~section.~~

2481 ~~(b)~~ By October 31 of the year preceding the presidential
 2482 preference primary, each political party shall submit to the
 2483 Secretary of State a list of its presidential candidates to be
 2484 placed on the presidential preference primary ballot or
 2485 candidates entitled to have delegates appear on the presidential
 2486 preference primary ballot. The Secretary of State shall prepare
 2487 and publish a list of the names of the presidential candidates
 2488 submitted not later than on the first Tuesday after the first
 2489 Monday in November of the year preceding the presidential
 2490 preference primary. ~~The Secretary of State shall submit such~~
 2491 ~~list of names of presidential candidates to the selection~~
 2492 ~~committee on the first Tuesday after the first Monday in~~

2493 ~~November of the year preceding the presidential preference~~
 2494 ~~primary. Each person designated as a presidential candidate~~
 2495 ~~shall have his or her name appear, or have his or her delegates'~~
 2496 ~~names appear, on the presidential preference primary ballot~~
 2497 ~~unless all committee members of the same political party as the~~
 2498 ~~candidate agree to delete such candidate's name from the ballot.~~

2499 ~~(c) The selection committee shall meet in Tallahassee on~~
 2500 ~~the first Tuesday after the first Monday in November of the year~~
 2501 ~~preceding the presidential preference primary. The selection~~
 2502 ~~committee shall publicly announce and submit to the Department~~
 2503 ~~of State no later than 5 p.m. on the following day the names of~~
 2504 ~~presidential candidates who shall have their names appear, or~~
 2505 ~~who are entitled to have their delegates' names appear, on the~~
 2506 ~~presidential preference primary ballot. The Department of State~~
 2507 shall immediately notify each presidential candidate listed
 2508 designated by the Secretary of State ~~committee~~. Such
 2509 notification shall be in writing, by registered mail, with
 2510 return receipt requested.

2511 Section 43. Section 103.141, Florida Statutes, is amended
 2512 to read:

2513 103.141 Removal of county executive committee member for
 2514 violation of oath.—

2515 ~~(1) If~~ where the county executive committee by at least a
 2516 two-thirds majority vote of the members of the committee,
 2517 attending a meeting held after due notice has been given and at
 2518 which meeting a quorum is present, determines an incumbent
 2519 county executive committee member is ~~to be~~ guilty of an offense
 2520 involving a violation of the member's oath of office, the said

2521 member ~~so violating his or her oath~~ shall be removed from office
 2522 and the office shall be deemed vacant. ~~Provided,~~ However, if the
 2523 county committee wrongfully removes a county committee member
 2524 and the committee member ~~so~~ wrongfully removed files suit in the
 2525 circuit court alleging his or her removal was wrongful and wins
 2526 the said suit, the committee member shall be restored to office
 2527 and the county committee shall pay the costs incurred by the
 2528 wrongfully removed committee member in bringing the suit,
 2529 including reasonable attorney's fees.

2530 ~~(2) Any officer, county committeeman, county~~
 2531 ~~committeewoman, precinct committeeman, precinct committeewoman,~~
 2532 ~~or member of a county executive committee may be removed from~~
 2533 ~~office pursuant to s. 103.161.~~

2534 Section 44. Section 104.29, Florida Statutes, is amended
 2535 to read:

2536 104.29 Inspectors refusing to allow watchers while ballots
 2537 are counted.—The inspectors or other election officials at the
 2538 polling place shall, after the polls close ~~at all times while~~
 2539 ~~the ballots are being counted~~, allow as many as three persons
 2540 near to them to see whether the ballots are being correctly
 2541 reconciled. ~~read and called and the votes correctly tallied, and~~
 2542 Any official who denies this privilege or interferes therewith
 2543 commits is guilty of a misdemeanor of the first degree,
 2544 punishable as provided in s. 775.082 or s. 775.083.

2545 Section 45. Subsection (3), paragraph (a) of subsection
 2546 (4), paragraph (b) of subsection (5), subsection (15), and
 2547 paragraph (c) of subsection (16) of section 106.011, Florida
 2548 Statutes, are amended to read:

2549 106.011 Definitions.—As used in this chapter, the
 2550 following terms have the following meanings unless the context
 2551 clearly indicates otherwise:

2552 (3) "Contribution" means:

2553 (a) A gift, subscription, conveyance, deposit, loan,
 2554 payment, or distribution of money or anything of value,
 2555 including contributions in kind having an attributable monetary
 2556 value in any form, made for the purpose of influencing the
 2557 results of an election or making an electioneering
 2558 communication.

2559 (b) A transfer of funds between political committees,
 2560 between committees of continuous existence, between
 2561 electioneering communications organizations, or between any
 2562 combination of these groups.

2563 (c) The payment, by any person other than a candidate or
 2564 political committee, of compensation for the personal services
 2565 of another person which are rendered to a candidate or political
 2566 committee without charge to the candidate or committee for such
 2567 services.

2568 (d) The transfer of funds by a campaign treasurer or
 2569 deputy campaign treasurer between a primary depository and a
 2570 separate interest-bearing account or certificate of deposit, and
 2571 the term includes any interest earned on such account or
 2572 certificate.

2573
 2574 Notwithstanding the foregoing meanings of "contribution," the
 2575 word shall not be construed to include services, including, but
 2576 not limited to, legal and accounting services, provided without

2577 compensation by individuals volunteering a portion or all of
 2578 their time on behalf of a candidate or political committee,
 2579 funds received under s. 106.012, or. ~~This definition shall not~~
 2580 ~~be construed to include~~ editorial endorsements.

2581 (4) (a) "Expenditure" means a purchase, payment,
 2582 distribution, loan, advance, transfer of funds by a campaign
 2583 treasurer or deputy campaign treasurer between a primary
 2584 depository and a separate interest-bearing account or
 2585 certificate of deposit, or gift of money or anything of value
 2586 made for the purpose of influencing the results of an election
 2587 or making an electioneering communication. However,
 2588 "expenditure" does not include funds spent under s. 106.012 or a
 2589 purchase, payment, distribution, loan, advance, or gift of money
 2590 or anything of value made for the purpose of influencing the
 2591 results of an election when made by an organization, in
 2592 existence prior to the time during which a candidate qualifies
 2593 or an issue is placed on the ballot for that election, for the
 2594 purpose of printing or distributing such organization's
 2595 newsletter, containing a statement by such organization in
 2596 support of or opposition to a candidate or issue, which
 2597 newsletter is distributed only to members of such organization.

2598 (5)

2599 (b) An expenditure for the purpose of expressly advocating
 2600 the election or defeat of a candidate which is made by the
 2601 national, state, or county executive committee of a political
 2602 party, including any subordinate committee of a national, state,
 2603 or county committee of a political party, or by any political
 2604 committee or committee of continuous existence, or any other

2605 person, shall not be considered an independent expenditure if
 2606 the committee or person:

2607 1. Communicates with the candidate, the candidate's
 2608 campaign, or an agent of the candidate acting on behalf of the
 2609 candidate, including any pollster, media consultant, advertising
 2610 agency, vendor, advisor, or staff member, concerning the
 2611 preparation of, use of, or payment for, the specific expenditure
 2612 or advertising campaign at issue; or

2613 2. Makes a payment in cooperation, consultation, or
 2614 concert with, at the request or suggestion of, or pursuant to
 2615 any general or particular understanding with the candidate, the
 2616 candidate's campaign, a political committee supporting the
 2617 candidate, or an agent of the candidate relating to the specific
 2618 expenditure or advertising campaign at issue; or

2619 3. Makes a payment for the dissemination, distribution, or
 2620 republication, in whole or in part, of any broadcast or any
 2621 written, graphic, or other form of campaign material prepared by
 2622 the candidate, the candidate's campaign, or an agent of the
 2623 candidate, including any pollster, media consultant, advertising
 2624 agency, vendor, advisor, or staff member; or

2625 4. Makes a payment based on information about the
 2626 candidate's plans, projects, or needs communicated to a member
 2627 of the committee or person by the candidate or an agent of the
 2628 candidate, provided the committee or person uses the information
 2629 in any way, in whole or in part, either directly or indirectly,
 2630 to design, prepare, or pay for the specific expenditure or
 2631 advertising campaign at issue; or

2632 5. After the last day of the qualifying period prescribed

2633 for the candidate ~~for statewide or legislative office~~, consults
 2634 about the candidate's plans, projects, or needs in connection
 2635 with the candidate's pursuit of election to office and the
 2636 information is used in any way to plan, create, design, or
 2637 prepare an independent expenditure or advertising campaign,
 2638 with:

2639 a. Any officer, director, employee, or agent of a
 2640 national, state, or county executive committee of a political
 2641 party that has made or intends to make expenditures in
 2642 connection with or contributions to the candidate; or

2643 b. Any person whose professional services have been
 2644 retained by a national, state, or county executive committee of
 2645 a political party that has made or intends to make expenditures
 2646 in connection with or contributions to the candidate; or

2647 6. After the last day of the qualifying period prescribed
 2648 for the candidate ~~for statewide or legislative office~~, retains
 2649 the professional services of any person also providing those
 2650 services to the candidate in connection with the candidate's
 2651 pursuit of election to office; or

2652 7. Arranges, coordinates, or directs the expenditure, in
 2653 any way, with the candidate or an agent of the candidate.

2654 (15) "Unopposed candidate" means a candidate for
 2655 nomination or election to an office who, after the last day on
 2656 which any person, including a write-in candidate, may qualify,
 2657 is without opposition in the election at which the office is to
 2658 be filled or who is without such opposition after such date as a
 2659 result of any primary election or of withdrawal by other
 2660 candidates seeking the same office. A candidate is not an

2661 unopposed candidate if there is a vacancy to be filled under s.
 2662 100.111(3) ~~s. 100.111(4)~~, if there is a legal proceeding pending
 2663 regarding the right to a ballot position for the office sought
 2664 by the candidate, or if the candidate is seeking retention as a
 2665 justice or judge.

2666 (16) "Candidate" means any person to whom any one or more
 2667 of the following apply:

2668 (c) Any person who receives contributions or makes
 2669 expenditures, or consents for any other person to receive
 2670 contributions or make expenditures, with a view to bring about
 2671 his or her nomination or election to, or retention in, public
 2672 office. Expenditures related to potential candidate polls as
 2673 provided in s. 106.17 are not contributions or expenditures for
 2674 purposes of this subsection.

2675
 2676 However, this definition does not include any candidate for a
 2677 political party executive committee.

2678 Section 46. Section 106.012, Florida Statutes, is created
 2679 to read:

2680 106.012 Testing the waters.-

2681 (1) Funds received and spent solely for the purpose of
 2682 determining whether an individual should become a candidate are
 2683 not contributions and expenditures. Examples of activities
 2684 permissible under this exemption include, but are not limited
 2685 to, conducting a poll, telephone calls, and travel. Funds
 2686 permissible under this chapter may only be used for such
 2687 activities. The individual shall retain records of all such
 2688 funds received and spent. If the individual subsequently becomes

2689 a candidate, the funds received are contributions and the funds
2690 spent are expenditures subject to the reporting requirements of
2691 this chapter. The contributions and expenditures must be
2692 reported with the initial report required by s. 106.07,
2693 regardless of the date the funds were received or spent.

2694 (2) The exemption provided in subsection (1) does not
2695 apply to funds received or spent for activities indicating that
2696 an individual has decided to become a candidate for a particular
2697 office or for activities relevant to conducting a campaign.
2698 Examples of activities that indicate that an individual has
2699 decided to become a candidate include, but are not limited to:

2700 (a) The individual uses general political advertising to
2701 publicize his or her intent to campaign for office.

2702 (b) The individual raises funds in excess of what could
2703 reasonably be expected to be used for exploratory activities or
2704 undertakes activities designed to amass campaign funds that
2705 would be spent after he or she becomes a candidate.

2706 (c) The individual makes or authorizes written or oral
2707 statements that refer to him or her as a candidate for office.

2708 (d) The individual conducts activities in close proximity
2709 to the election or over a protracted period of time.

2710 (e) The individual takes action to qualify for office
2711 under s. 99.061.

2712 (3) Individuals are limited to receiving up to \$10,000 for
2713 determining whether to become a candidate for office under this
2714 section. An individual may only determine whether to become a
2715 candidate for a single office.

2716 Section 47. Subsection (3) of section 106.021, Florida

2717 Statutes, is amended to read:

2718 106.021 Campaign treasurers; deputies; primary and
 2719 secondary depositories.—

2720 (3) No contribution or expenditure, including
 2721 contributions or expenditures of a candidate or of the
 2722 candidate's family, shall be directly or indirectly made or
 2723 received in furtherance of the candidacy of any person for
 2724 nomination or election to political office in the state or on
 2725 behalf of any political committee except through the duly
 2726 appointed campaign treasurer of the candidate or political
 2727 committee, subject to the following exceptions:

2728 (a) Independent expenditures;

2729 (b) Reimbursements to a candidate or any other individual
 2730 for expenses incurred in connection with the campaign or
 2731 activities of the political committee by a check drawn upon the
 2732 campaign account and reported pursuant to s. 106.07(4). ~~After~~
 2733 ~~July 1, 2004,~~ The full name ~~and address~~ of each person to whom
 2734 the candidate or other individual made payment for which
 2735 reimbursement was made by check drawn upon the campaign account
 2736 shall be reported pursuant to s. 106.07(4), together with the
 2737 purpose of such payment;

2738 (c) Expenditures made indirectly through a treasurer for
 2739 goods or services, such as communications media placement or
 2740 procurement services, campaign signs, insurance, or other
 2741 expenditures that include multiple integral components as part
 2742 of the expenditure and reported pursuant to s. 106.07(4)(a)13.;

2743 or

2744 (d) Expenditures made directly by any political committee

2745 or political party regulated by chapter 103 for obtaining time,
 2746 space, or services in or by any communications medium for the
 2747 purpose of jointly endorsing three or more candidates, and any
 2748 such expenditure shall not be considered a contribution or
 2749 expenditure to or on behalf of any such candidates for the
 2750 purposes of this chapter.

2751 Section 48. Section 106.022, Florida Statutes, is amended
 2752 to read:

2753 106.022 Appointment of a registered agent; duties.—

2754 (1) Each political committee, committee of continuous
 2755 existence, or electioneering communications organization shall
 2756 have and continuously maintain in this state a registered office
 2757 and a registered agent and must file with the filing officer
 2758 ~~division~~ a statement of appointment for the registered office
 2759 and registered agent. The statement of appointment must:

2760 (a) Provide the name of the registered agent and the
 2761 street address and phone number for the registered office;

2762 (b) Identify the entity for whom the registered agent
 2763 serves;

2764 (c) Designate the address the registered agent wishes to
 2765 use to receive mail;

2766 (d) Include the entity's undertaking to inform the filing
 2767 officer ~~division~~ of any change in such designated address;

2768 (e) Provide for the registered agent's acceptance of the
 2769 appointment, which must confirm that the registered agent is
 2770 familiar with and accepts the obligations of the position as set
 2771 forth in this section; and

2772 (f) Contain the signature of the registered agent and the

2773 entity engaging the registered agent.

2774 (2) An entity may change its appointment of registered
 2775 agent and registered office under this section by executing a
 2776 written statement of change and filing it with the filing
 2777 officer. The statement must satisfy ~~that identifies the former~~
 2778 ~~registered agent and registered address and also satisfies~~ all
 2779 of the requirements of subsection (1).

2780 (3) A registered agent may resign his or her appointment
 2781 as registered agent by executing a written statement of
 2782 resignation and filing it with the filing officer ~~division~~. An
 2783 entity without a registered agent may not make expenditures or
 2784 accept contributions until it files a written statement of
 2785 change as required in subsection (2).

2786 Section 49. Subsection (1) of section 106.023, Florida
 2787 Statutes, is amended to read:

2788 106.023 Statement of candidate.-

2789 (1) Each candidate must file a statement with the
 2790 qualifying officer within 10 days after filing the appointment
 2791 of campaign treasurer and designation of campaign depository,
 2792 stating that the candidate has read and understands the
 2793 requirements of this chapter. Such statement shall be provided
 2794 by the filing officer and shall be in substantially the
 2795 following form:

2796 STATEMENT OF CANDIDATE

2797 I,, candidate for the office of, have been
 2798 provided access to ~~received~~, read, and understand the
 2799 requirements of Chapter 106, Florida Statutes.

2800 ...(Signature of candidate)... ...(Date)...

2801 Willful failure to file this form is a violation of ss.
 2802 106.19(1)(c) and 106.25(3), F.S.

2803 Section 50. Paragraph (c) of subsection (1) of section
 2804 106.025, Florida Statutes, is amended to read:

2805 106.025 Campaign fund raisers.—

2806 (1)

2807 (c) Any tickets or advertising for such a campaign fund
 2808 raiser is exempt from the requirements of s. 106.143 ~~shall~~
 2809 ~~contain the following statement: "The purchase of a ticket for,~~
 2810 ~~or a contribution to, the campaign fund raiser is a contribution~~
 2811 ~~to the campaign of ... (name of the candidate for whose benefit~~
 2812 ~~the campaign fund raiser is held)...."~~ Such tickets or
 2813 ~~advertising shall also comply with other provisions of this~~
 2814 ~~chapter relating to political advertising.~~

2815 Section 51. Subsection (1) of section 106.03, Florida
 2816 Statutes, is amended to read:

2817 106.03 Registration of political committees and
 2818 electioneering communications organizations.—

2819 (1)(a) Each political committee that receives ~~anticipates~~
 2820 ~~receiving~~ contributions or makes ~~making~~ expenditures during a
 2821 calendar year in an aggregate amount exceeding \$500 or that
 2822 seeks ~~is seeking~~ the signatures of registered electors in
 2823 support of an initiative shall file a statement of organization
 2824 as provided in subsection (3) within 10 days after its
 2825 organization ~~or, if later, within 10 days after the date on~~
 2826 ~~which it has information that causes the committee to anticipate~~
 2827 ~~that it will receive contributions or make expenditures in~~
 2828 ~~excess of \$500.~~ If a political committee is organized within 10

2829 days of any election, it shall immediately file the statement of
 2830 organization required by this section.

2831 (b)1. Each group electioneering communications
 2832 ~~organization that receives contributions or makes expenditures~~
 2833 ~~during a calendar year in an aggregate amount exceeding \$5,000~~
 2834 shall file a statement of organization as an electioneering
 2835 communications organization provided in subparagraph 2. by
 2836 ~~expedited delivery within 24 hours after its organization or, if~~
 2837 ~~later,~~ within 24 hours after the date on which it ~~receives~~
 2838 ~~contributions or makes expenditures for an electioneering~~
 2839 communication in excess of \$5,000, if such expenditures are made
 2840 within the timeframes specified in s. 106.011(18)(a)2. If the
 2841 group makes expenditures for an electioneering communication in
 2842 excess of \$5,000 before the timeframes specified in s.
 2843 106.011(18)(a)2., it shall file the statement of organization
 2844 within 24 hours after the 30th day before a primary or special
 2845 primary election, or within 24 hours after the 60th day before
 2846 any other election, whichever is applicable.

2847 2.a. In a statewide, legislative, or multicounty election,
 2848 an electioneering communications organization shall file a
 2849 statement of organization with the Division of Elections.

2850 b. In a countywide election or any election held on less
 2851 than a countywide basis, except as described in sub-subparagraph
 2852 c., an electioneering communications organization shall file a
 2853 statement of organization with the supervisor of elections of
 2854 the county in which the election is being held.

2855 c. In a municipal election, an electioneering
 2856 communications organization shall file a statement of

2857 organization with the officer before whom municipal candidates
 2858 qualify.

2859 d. Any electioneering communications organization that
 2860 would be required to file a statement of organization in two or
 2861 more locations by reason of the organization's intention to
 2862 support or oppose candidates at state or multicounty and local
 2863 levels of government need only file a statement of organization
 2864 with the Division of Elections.

2865 Section 52. Subsection (4) of section 106.04, Florida
 2866 Statutes, is amended, present subsections (7) and (8) are
 2867 amended and renumbered as subsections (8) and (9), respectively,
 2868 and a new subsection (7) is added to that section, to read:

2869 106.04 Committees of continuous existence.—

2870 (4) (a) Each committee of continuous existence shall file
 2871 an annual report with the Division of Elections during the month
 2872 of January. Such annual reports shall contain the same
 2873 information and shall be accompanied by the same materials as
 2874 original applications filed pursuant to subsection (2). However,
 2875 the charter or bylaws need not be filed if the annual report is
 2876 accompanied by a sworn statement by the chair that no changes
 2877 have been made to such charter or bylaws since the last filing.

2878 (b)1. Each committee of continuous existence shall file
 2879 regular reports with the Division of Elections at the same times
 2880 and subject to the same filing conditions as are established by
 2881 s. 106.07(1) and (2) for candidates' reports.

2882 2. A committee of continuous existence that makes a
 2883 contribution to or an expenditure on behalf of a candidate in a
 2884 county or municipal election that is not being held at the same

2885 time as a state or federal election must file campaign finance
 2886 reports with the county or municipal filing officer on the same
 2887 dates as county or municipal candidates or committees for that
 2888 election. The committee of continuous existence must also
 2889 include the contribution or expenditure in the next report filed
 2890 with the Division of Elections pursuant to this section after
 2891 the county or municipal election.

2892 ~~3.2.~~ Any committee of continuous existence failing to so
 2893 file a report with the Division of Elections or applicable
 2894 filing officer pursuant to this paragraph on the designated due
 2895 date shall be subject to a fine for late filing as provided by
 2896 this section.

2897 (c) All committees of continuous existence shall file
 2898 their reports with the Division of Elections. Reports shall be
 2899 filed in accordance with s. 106.0705 and shall contain the
 2900 following information:

2901 1. The full name, address, and occupation of each person
 2902 who has made one or more contributions, including contributions
 2903 that represent the payment of membership dues, to the committee
 2904 during the reporting period, together with the amounts and dates
 2905 of such contributions. For corporations, the report must provide
 2906 as clear a description as practicable of the principal type of
 2907 business conducted by the corporation. However, if the
 2908 contribution is \$100 or less, the occupation of the contributor
 2909 or principal type of business need not be listed. However, for
 2910 any contributions that represent the payment of dues by members
 2911 in a fixed amount aggregating no more than \$250 per calendar
 2912 year, pursuant to the schedule on file with the Division of

2913 Elections, only the aggregate amount of such contributions need
 2914 be listed, together with the number of members paying such dues
 2915 and the amount of the membership dues.

2916 2. The name and address of each political committee or
 2917 committee of continuous existence from which the reporting
 2918 committee received, or the name and address of each political
 2919 committee, committee of continuous existence, or political party
 2920 to which it made, any transfer of funds, together with the
 2921 amounts and dates of all transfers.

2922 3. Any other receipt of funds not listed pursuant to
 2923 subparagraph 1. or subparagraph 2., including the sources and
 2924 amounts of all such funds.

2925 4. The name and address of, and office sought by, each
 2926 candidate to whom the committee has made a contribution during
 2927 the reporting period, together with the amount and date of each
 2928 contribution.

2929 5. The full name and address of each person to whom
 2930 expenditures have been made by or on behalf of the committee
 2931 within the reporting period; the amount, date, and purpose of
 2932 each such expenditure; and the name and address, and office
 2933 sought by, each candidate on whose behalf such expenditure was
 2934 made.

2935 6. The full name and address of each person to whom an
 2936 expenditure for personal services, salary, or reimbursement for
 2937 authorized expenses has been made, including the full name and
 2938 address of each entity to whom the person made payment for which
 2939 reimbursement was made by check drawn upon the committee
 2940 account, together with the amount and purpose of such payment.

2941 7. Transaction information from each credit card purchase
 2942 ~~statement that will be included in the next report following~~
 2943 ~~receipt thereof by the committee.~~ Receipts for each credit card
 2944 purchase shall be retained by the treasurer with the records for
 2945 the committee account.

2946 8. The total sum of expenditures made by the committee
 2947 during the reporting period.

2948 (d) The treasurer of each committee shall certify as to
 2949 the correctness of each report and shall bear the responsibility
 2950 for its accuracy and veracity. Any treasurer who willfully
 2951 certifies to the correctness of a report while knowing that such
 2952 report is incorrect, false, or incomplete commits a misdemeanor
 2953 of the first degree, punishable as provided in s. 775.082 or s.
 2954 775.083.

2955 (7) Any change in information previously submitted to the
 2956 division shall be reported within 10 days after the change.

2957 (8) ~~(7)~~ If a committee of continuous existence ceases to
 2958 meet the criteria prescribed by subsection (1), the Division of
 2959 Elections shall revoke its certification ~~until such time as the~~
 2960 ~~criteria are again met.~~ The Division of Elections shall adopt
 2961 ~~promulgate~~ rules to prescribe the manner in which the such
 2962 certification of a committee of continuous existence shall be
 2963 revoked. Such rules shall, at a minimum, provide for:

2964 (a) Notice, which must ~~shall~~ contain the facts and conduct
 2965 that warrant the intended action.

2966 (b) Adequate opportunity to respond.

2967 (c) Appeal of the decision to the Florida Elections
 2968 Commission. Such appeals are ~~shall be~~ exempt from the

2969 confidentiality provisions of s. 106.25.

2970 (9)~~(8)~~(a) Any committee of continuous existence failing to
 2971 file a report on the designated due date is ~~shall be~~ subject to
 2972 a fine. The fine shall be \$50 per day for the first 3 days late
 2973 and, thereafter, \$500 per day for each late day, not to exceed
 2974 25 percent of the total receipts or expenditures, whichever is
 2975 greater, for the period covered by the late report. However, for
 2976 the reports immediately before each primary and general
 2977 election, including a special primary election and a special
 2978 general election, the fine shall be \$500 per day for each late
 2979 day, not to exceed 25 percent of the total receipts or
 2980 expenditures, whichever is greater, for the period covered by
 2981 the late report. The fine shall be assessed by the filing
 2982 officer, and the moneys collected shall be deposited into:

2983 1. ~~In~~ The General Revenue Fund, in the case of fines
 2984 collected by the Division of Elections.

2985 2. The general revenue fund of the political subdivision,
 2986 in the case of fines collected by a county or municipal filing
 2987 officer.

2988
 2989 A ~~No~~ separate fine may not ~~shall~~ be assessed for failure to file
 2990 a copy of any report required by this section.

2991 (b) Upon determining that a report is late, the filing
 2992 officer shall immediately notify the treasurer of the committee
 2993 or the committee's registered agent as to the failure to file a
 2994 report by the designated due date and that a fine is being
 2995 assessed for each late day. Upon receipt of the report, the
 2996 filing officer shall determine the amount of fine which is due

2997 and shall notify the treasurer of the committee. Notice is
 2998 deemed complete upon proof of delivery of written notice to the
 2999 mailing or street address on record with the filing officer. The
 3000 filing officer shall determine the amount of the fine due based
 3001 upon the earliest of the following:

- 3002 1. When the report is actually received by such officer.
- 3003 2. When the report is postmarked.
- 3004 3. When the certificate of mailing is dated.
- 3005 4. When the receipt from an established courier company is
 3006 dated.

3007
 3008 Such fine shall be paid to the filing officer within 20 days
 3009 after receipt of the notice of payment due, unless appeal is
 3010 made to the Florida Elections Commission pursuant to paragraph
 3011 (c). An officer or member of a committee is ~~shall~~ not ~~be~~
 3012 personally liable for such fine.

3013 (c) Any treasurer of a committee may appeal or dispute the
 3014 fine, based upon unusual circumstances surrounding the failure
 3015 to file on the designated due date, and may request and is ~~shall~~
 3016 ~~be~~ entitled to a hearing before the Florida Elections
 3017 Commission, which may ~~shall~~ have the authority to waive the fine
 3018 in whole or in part. Any such request must ~~shall~~ be made within
 3019 20 days after receipt of the notice of payment due. ~~In such~~
 3020 ~~case, the treasurer of~~ The committee shall file a copy of the
 3021 appeal with, ~~within the 20-day period,~~ notify the filing officer
 3022 ~~in writing of his or her intention to bring the matter before~~
 3023 the commission.

3024 (d) The filing officer shall notify the Florida Elections

3025 Commission of the repeated late filing by a committee of
 3026 continuous existence, the failure of a committee of continuous
 3027 existence to file a report after notice, or the failure to pay
 3028 the fine imposed.

3029 Section 53. Section 106.07, Florida Statutes, is amended
 3030 to read:

3031 106.07 Reports; certification and filing.—

3032 (1) Each campaign treasurer designated by a candidate or
 3033 political committee pursuant to s. 106.021 shall file regular
 3034 reports of all contributions received, and all expenditures
 3035 made, by or on behalf of such candidate or political committee.
 3036 Except for the third calendar quarter immediately before a
 3037 general election, reports shall be filed on the 10th day
 3038 following the end of each calendar quarter from the time the
 3039 campaign treasurer is appointed, except that, if the 10th day
 3040 following the end of a calendar quarter occurs on a Saturday,
 3041 Sunday, or legal holiday, the report shall be filed on the next
 3042 following day which is not a Saturday, Sunday, or legal holiday.
 3043 Quarterly reports shall include all contributions received and
 3044 expenditures made during the calendar quarter which have not
 3045 otherwise been reported pursuant to this section.

3046 (a) Except as provided in paragraph (b), ~~following the~~
 3047 ~~last day of qualifying for office,~~ the reports shall also be
 3048 filed on the 32nd, 18th, and 4th days immediately preceding the
 3049 primary and on the 46th, 32nd, 18th, and 4th days immediately
 3050 preceding the election, for a candidate who is opposed in
 3051 seeking nomination or election to any office, for a political
 3052 committee, or for a committee of continuous existence.

3053 (b) ~~Following the last day of qualifying for office,~~ Any
3054 statewide candidate who has requested to receive contributions
3055 pursuant to ~~from~~ the Florida Election Campaign Financing Act
3056 ~~Trust Fund~~ or any statewide candidate in a race with a candidate
3057 who has requested to receive contributions pursuant to ~~from~~ the
3058 act ~~trust fund~~ shall also file reports on the 4th, 11th, 18th,
3059 25th, and 32nd days prior to the primary election, and on the
3060 4th, 11th, 18th, 25th, 32nd, 39th, 46th, and 53rd days prior to
3061 the general election.

3062 (c) Following the last day of qualifying for office, any
3063 unopposed candidate need only file a report within 90 days after
3064 the date such candidate became unopposed. Such report shall
3065 contain all previously unreported contributions and expenditures
3066 as required by this section and shall reflect disposition of
3067 funds as required by s. 106.141.

3068 (d)1. When a special election is called to fill a vacancy
3069 in office, all political committees ~~and committees of continuous~~
3070 ~~existence~~ making contributions or expenditures to influence the
3071 results of such special election or the preceding special
3072 primary election shall file campaign treasurers' reports with
3073 the filing officer on the dates set by the Department of State
3074 pursuant to s. 100.111.

3075 2. When an election is called for an issue to appear on
3076 the ballot at a time when no candidates are scheduled to appear
3077 on the ballot, all political committees making contributions or
3078 expenditures in support of or in opposition to such issue shall
3079 file reports on the 18th and 4th days prior to such election.

3080 (e) The filing officer shall provide each candidate with a

3081 schedule designating the beginning and end of reporting periods
3082 as well as the corresponding designated due dates.

3083 (2)(a)1. All reports required of a candidate by this
3084 section shall be filed with the officer before whom the
3085 candidate is required by law to qualify. All candidates who file
3086 with the Department of State shall file their reports pursuant
3087 to s. 106.0705. Except as provided in s. 106.0705, reports shall
3088 be filed not later than 5 p.m. of the day designated; however,
3089 any report postmarked by the United States Postal Service no
3090 later than midnight of the day designated shall be deemed to
3091 have been filed in a timely manner. Any report received by the
3092 filing officer within 5 days after the designated due date that
3093 was delivered by the United States Postal Service shall be
3094 deemed timely filed unless it has a postmark that indicates that
3095 the report was mailed after the designated due date. A
3096 certificate of mailing obtained from and dated by the United
3097 States Postal Service at the time of mailing, or a receipt from
3098 an established courier company, which bears a date on or before
3099 the date on which the report is due, shall be proof of mailing
3100 in a timely manner. Reports shall contain information of all
3101 previously unreported contributions received and expenditures
3102 made as of the preceding Friday, except that the report filed on
3103 the Friday immediately preceding the election shall contain
3104 information of all previously unreported contributions received
3105 and expenditures made as of the day preceding that designated
3106 due date. All such reports shall be open to public inspection.

3107 2. This subsection does not prohibit the governing body of
3108 a political subdivision, by ordinance or resolution, from

3109 imposing upon its own officers and candidates electronic filing
 3110 requirements not in conflict with s. 106.0705. Expenditure of
 3111 public funds for such purpose is deemed to be for a valid public
 3112 purpose.

3113 (b)1. Any report that ~~which~~ is deemed to be incomplete by
 3114 the officer with whom the candidate qualifies shall be accepted
 3115 on a conditional basis. ~~and~~ The campaign treasurer shall be
 3116 notified by certified registered mail or by another method using
 3117 a common carrier that provides a proof of delivery of the notice
 3118 as to why the report is incomplete and within 7 ~~be given 3~~ days
 3119 after ~~from~~ receipt of such notice must ~~to~~ file an addendum to
 3120 the report providing all information necessary to complete the
 3121 report in compliance with this section. Failure to file a
 3122 complete report after such notice constitutes a violation of
 3123 this chapter.

3124 2. Notice is deemed complete upon proof of delivery of a
 3125 written notice to the mailing or street address of the campaign
 3126 treasurer or registered agent of record with the filing officer.
 3127 ~~In lieu of the notice by registered mail as required in~~
 3128 ~~subparagraph 1., the qualifying officer may notify the campaign~~
 3129 ~~treasurer by telephone that the report is incomplete and request~~
 3130 ~~the information necessary to complete the report. If, however,~~
 3131 ~~such information is not received by the qualifying officer~~
 3132 ~~within 3 days after the telephone request therefor, notice shall~~
 3133 ~~be sent by registered mail as provided in subparagraph 1.~~

3134 (3) (a) Reports required of a political committee shall be
 3135 filed with the agency or officer before whom such committee
 3136 registers pursuant to s. 106.03(3) and shall be subject to the

3137 same filing conditions as established for candidates' reports.
 3138 Incomplete reports by political committees shall be treated in
 3139 the manner provided for incomplete reports by candidates in
 3140 subsection (2).

3141 (b) In addition to the reports required under paragraph
 3142 (a), a political committee that is registered with the
 3143 Department of State and that makes a contribution to or an
 3144 expenditure on behalf of a candidate in a county or municipal
 3145 election that is not being held at the same time as a state or
 3146 federal election must file campaign finance reports with the
 3147 county or municipal filing officer on the same filing dates
 3148 required of a county or municipal candidate or committee for
 3149 that election. The political committee must also include such
 3150 contribution or expenditure in the next report filed with the
 3151 Division of Elections pursuant to this section after the county
 3152 or municipal election.

3153 (4) (a) Each report required by this section must ~~shall~~
 3154 contain:

3155 1. The full name, address, and occupation, if any of each
 3156 person who has made one or more contributions to or for such
 3157 committee or candidate within the reporting period, together
 3158 with the amount and date of such contributions. For
 3159 corporations, the report must provide as clear a description as
 3160 practicable of the principal type of business conducted by the
 3161 corporation. However, if the contribution is \$100 or less or is
 3162 from a relative, as defined in s. 112.312, provided that the
 3163 relationship is reported, the occupation of the contributor or
 3164 the principal type of business need not be listed.

3165 2. The name and address of each political committee from
3166 which the reporting committee or the candidate received, or to
3167 which the reporting committee or candidate made, any transfer of
3168 funds, together with the amounts and dates of all transfers.

3169 3. Each loan for campaign purposes to or from any person
3170 or political committee within the reporting period, together
3171 with the full names, addresses, and occupations, and principal
3172 places of business, if any, of the lender and endorsers, if any,
3173 and the date and amount of such loans.

3174 4. A statement of each contribution, rebate, refund, or
3175 other receipt not otherwise listed under subparagraphs 1.
3176 through 3.

3177 5. The total sums of all loans, in-kind contributions, and
3178 other receipts by or for such committee or candidate during the
3179 reporting period. The reporting forms shall be designed to
3180 elicit separate totals for in-kind contributions, loans, and
3181 other receipts.

3182 6. The full name and address of each person to whom
3183 expenditures have been made by or on behalf of the committee or
3184 candidate within the reporting period; the amount, date, and
3185 purpose of each such expenditure; and the name and address of,
3186 and office sought by, each candidate on whose behalf such
3187 expenditure was made. However, expenditures made from the petty
3188 cash fund provided by s. 106.12 need not be reported
3189 individually.

3190 7. The full name and address of each person to whom an
3191 expenditure for personal services, salary, or reimbursement for
3192 authorized expenses as provided in s. 106.021(3) has been made

3193 and which is not otherwise reported, including the amount, date,
 3194 and purpose of such expenditure. However, expenditures made from
 3195 the petty cash fund provided for in s. 106.12 need not be
 3196 reported individually. Receipts for reimbursement for authorized
 3197 expenses shall be retained by the treasurer with the records for
 3198 the campaign account.

3199 8. The total amount withdrawn and the total amount spent
 3200 for petty cash purposes pursuant to this chapter during the
 3201 reporting period.

3202 9. The total sum of expenditures made by such committee or
 3203 candidate during the reporting period.

3204 10. The amount and nature of debts and obligations owed by
 3205 or to the committee or candidate, which relate to the conduct of
 3206 any political campaign.

3207 11. Transaction information for each credit card purchase.
 3208 ~~A copy of each credit card statement which shall be included in~~
 3209 ~~the next report following receipt thereof by the candidate or~~
 3210 ~~political committee. Receipts for each credit card purchase~~
 3211 ~~shall be retained by the treasurer with the records for the~~
 3212 ~~campaign account.~~

3213 12. The amount and nature of any separate interest-bearing
 3214 accounts or certificates of deposit and identification of the
 3215 financial institution in which such accounts or certificates of
 3216 deposit are located.

3217 13. The primary purposes of an expenditure made indirectly
 3218 through a campaign treasurer pursuant to s. 106.021(3) for goods
 3219 and services such as communications media placement or
 3220 procurement services, campaign signs, insurance, and other

3221 expenditures that include multiple components as part of the
 3222 expenditure. The primary purpose of an expenditure shall be that
 3223 purpose, including integral and directly related components,
 3224 that comprises 80 percent of such expenditure.

3225 (b) The filing officer shall make available to any
 3226 candidate or committee a reporting form which the candidate or
 3227 committee may use to indicate contributions received by the
 3228 candidate or committee but returned to the contributor before
 3229 deposit.

3230 (5) The candidate and his or her campaign treasurer, in
 3231 the case of a candidate, or the political committee chair and
 3232 campaign treasurer of the committee, in the case of a political
 3233 committee, shall certify as to the correctness of each report;
 3234 and each person so certifying shall bear the responsibility for
 3235 the accuracy and veracity of each report. Any campaign
 3236 treasurer, candidate, or political committee chair who willfully
 3237 certifies the correctness of any report while knowing that such
 3238 report is incorrect, false, or incomplete commits a misdemeanor
 3239 of the first degree, punishable as provided in s. 775.082 or s.
 3240 775.083.

3241 (6) ~~The campaign depository shall return all checks drawn~~
 3242 ~~on the account to the campaign treasurer who shall retain the~~
 3243 ~~records pursuant to s. 106.06.~~ The records maintained by the
 3244 campaign depository with respect to any campaign account
 3245 regulated by this chapter ~~are such account shall be~~ subject to
 3246 inspection by an agent of the Division of Elections or the
 3247 Florida Elections Commission at any time during normal banking
 3248 hours, and such depository shall furnish certified copies of any

3249 of such records to the Division of Elections or Florida
 3250 Elections Commission upon request.

3251 (7) Notwithstanding any other provisions of this chapter,
 3252 in any reporting period during which a candidate, political
 3253 committee, or committee of continuous existence has not received
 3254 funds, made any contributions, or expended any reportable funds,
 3255 the filing of the required report for that period is waived.
 3256 However, the next report filed must specify that the report
 3257 covers the entire period between the last submitted report and
 3258 the report being filed, and any candidate, political committee,
 3259 or committee of continuous existence not reporting by virtue of
 3260 this subsection on dates prescribed elsewhere in this chapter
 3261 shall notify the filing officer in writing on the prescribed
 3262 reporting date that no report is being filed on that date.

3263 (8) (a) Any candidate or political committee failing to
 3264 file a report on the designated due date is ~~shall be~~ subject to
 3265 a fine as provided in paragraph (b) for each late day, and, in
 3266 the case of a candidate, such fine shall be paid only from
 3267 personal funds of the candidate. The fine shall be assessed by
 3268 the filing officer and the moneys collected shall be deposited:

3269 1. In the General Revenue Fund, in the case of a candidate
 3270 for state office or a political committee that registers with
 3271 the Division of Elections; or

3272 2. In the general revenue fund of the political
 3273 subdivision, in the case of a candidate for an office of a
 3274 political subdivision or a political committee that registers
 3275 with an officer of a political subdivision.

3276

3277 A ~~No~~ separate fine may not ~~shall~~ be assessed for failure to file
 3278 a copy of any report required by this section.

3279 (b) Upon determining that a report is late, the filing
 3280 officer shall immediately notify the candidate or chair of the
 3281 political committee as to the failure to file a report by the
 3282 designated due date and that a fine is being assessed for each
 3283 late day. The fine shall be \$50 per day for the first 3 days
 3284 late and, thereafter, \$500 per day for each late day, not to
 3285 exceed 25 percent of the total receipts or expenditures,
 3286 whichever is greater, for the period covered by the late report.
 3287 However, for the reports immediately preceding each special
 3288 primary election, special election, primary election, and
 3289 general election, the fine shall be \$500 per day for each late
 3290 day, not to exceed 25 percent of the total receipts or
 3291 expenditures, whichever is greater, for the period covered by
 3292 the late report. For reports required under s. 106.141(7), the
 3293 fine is \$50 per day for each late day, not to exceed 25 percent
 3294 of the total receipts or expenditures, whichever is greater, for
 3295 the period covered by the late report. Upon receipt of the
 3296 report, the filing officer shall determine the amount of the
 3297 fine which is due and shall notify the candidate or chair or
 3298 registered agent of the political committee. The filing officer
 3299 shall determine the amount of the fine due based upon the
 3300 earliest of the following:

- 3301 1. When the report is actually received by such officer.
- 3302 2. When the report is postmarked.
- 3303 3. When the certificate of mailing is dated.
- 3304 4. When the receipt from an established courier company is

3305 | dated.

3306 | 5. When the electronic receipt issued pursuant to s.

3307 | 106.0705 or other electronic filing system authorized in this

3308 | section is dated.

3309 |

3310 | Such fine shall be paid to the filing officer within 20 days

3311 | after receipt of the notice of payment due, unless appeal is

3312 | made to the Florida Elections Commission pursuant to paragraph

3313 | (c). Notice is deemed complete upon proof of delivery of written

3314 | notice to the mailing or street address of record with the

3315 | filing officer. In the case of a candidate, such fine shall not

3316 | be an allowable campaign expenditure and shall be paid only from

3317 | personal funds of the candidate. An officer or member of a

3318 | political committee shall not be personally liable for such

3319 | fine.

3320 | (c) Any candidate or chair of a political committee may

3321 | appeal or dispute the fine, based upon, but not limited to,

3322 | unusual circumstances surrounding the failure to file on the

3323 | designated due date, and may request and shall be entitled to a

3324 | hearing before the Florida Elections Commission, which shall

3325 | have the authority to waive the fine in whole or in part. The

3326 | Florida Elections Commission must consider the mitigating and

3327 | aggravating circumstances contained in s. 106.265~~(1)~~ when

3328 | determining the amount of a fine, if any, to be waived. Any such

3329 | request shall be made within 20 days after receipt of the notice

3330 | of payment due. In such case, the candidate or chair of the

3331 | political committee shall, within the 20-day period, notify the

3332 | filing officer in writing of his or her intention to bring the

3333 matter before the commission.

3334 (d) The appropriate filing officer shall notify the
 3335 Florida Elections Commission of the repeated late filing by a
 3336 candidate or political committee, the failure of a candidate or
 3337 political committee to file a report after notice, or the
 3338 failure to pay the fine imposed. The commission shall
 3339 investigate only those alleged late filing violations
 3340 specifically identified by the filing officer and as set forth
 3341 in the notification. Any other alleged violations must be
 3342 separately stated and reported by the division to the commission
 3343 under s. 106.25(2).

3344 (9) The Department of State may prescribe by rule the
 3345 requirements for filing campaign treasurers' reports as set
 3346 forth in this chapter.

3347 Section 54. Paragraph (c) of subsection (7) and
 3348 subsections (8) and (9) of section 106.0703, Florida Statutes,
 3349 are amended to read:

3350 106.0703 Electioneering communications organizations;
 3351 reporting requirements; certification and filing; penalties.-

3352 (7)

3353 (c) The treasurer of an electioneering communications
 3354 organization may appeal or dispute the fine, based upon, but not
 3355 limited to, unusual circumstances surrounding the failure to
 3356 file on the designated due date, and may request and shall be
 3357 entitled to a hearing before the Florida Elections Commission,
 3358 which shall have the authority to waive the fine in whole or in
 3359 part. The Florida Elections Commission must consider the
 3360 mitigating and aggravating circumstances contained in s.

3361 106.265~~(1)~~ when determining the amount of a fine, if any, to be
 3362 waived. Any such request shall be made within 20 days after
 3363 receipt of the notice of payment due. In such case, the
 3364 treasurer of the electioneering communications organization
 3365 shall, within the 20-day period, notify the filing officer in
 3366 writing of his or her intention to bring the matter before the
 3367 commission.

3368 ~~(8) An electioneering communications organization shall,~~
 3369 ~~within 2 days after receiving its initial password or secure~~
 3370 ~~sign-on from the Department of State allowing confidential~~
 3371 ~~access to the department's electronic campaign finance filing~~
 3372 ~~system, electronically file the periodic reports that would have~~
 3373 ~~been required pursuant to this section for reportable activities~~
 3374 ~~that occurred since the date of the last general election.~~

3375 ~~(8)(9)~~ Electioneering communications organizations shall
 3376 not use credit cards.

3377 Section 55. Paragraphs (a) and (c) of subsection (2) and
 3378 subsections (3) and (7) of section 106.0705, Florida Statutes,
 3379 are amended to read:

3380 106.0705 Electronic filing of campaign treasurer's
 3381 reports.—

3382 (2)(a) Each individual candidate who is required to file
 3383 reports with the division pursuant to s. 106.07 or s. 106.141
 3384 ~~with the division~~ must file such reports ~~with the division~~ by
 3385 means of the division's electronic filing system.

3386 (c) Each person or organization that is required to file
 3387 reports with the division under s. 106.071 must file such
 3388 reports ~~with the division~~ by means of the division's electronic

3389 filing system.

3390 (3) Reports filed pursuant to this section shall be
 3391 completed and filed through the electronic filing system not
 3392 later than midnight of the day designated. Reports not filed by
 3393 midnight of the day designated are late filed and are subject to
 3394 the penalties under s. 106.04(9) ~~s. 106.04(8)~~, s. 106.07(8), s.
 3395 106.0703(7), or s. 106.29(3), as applicable.

3396 ~~(7) Notwithstanding anything in law to the contrary, any~~
 3397 ~~report required to have been filed under this section for the~~
 3398 ~~period ended March 31, 2005, shall be deemed to have been timely~~
 3399 ~~filed if the report is filed under this section on or before~~
 3400 ~~June 1, 2005.~~

3401 Section 56. Subsections (1) and (2) of section 106.071,
 3402 Florida Statutes, are amended to read:

3403 106.071 Independent expenditures; electioneering
 3404 communications; reports; disclaimers.-

3405 (1) Each person who makes an independent expenditure with
 3406 respect to any candidate or issue, and each individual who makes
 3407 an expenditure for an electioneering communication which is not
 3408 otherwise reported pursuant to this chapter, which expenditure,
 3409 in the aggregate in a calendar year, is in the amount of \$5,000
 3410 or more, shall file periodic reports of such expenditures in the
 3411 same manner, at the same time, subject to the same penalties,
 3412 and with the same officer as a political committee supporting or
 3413 opposing such candidate or issue. The report shall contain the
 3414 full name and address of the person making the expenditure; the
 3415 full name and address of each person to whom and for whom each
 3416 such expenditure has been made; the amount, date, and purpose of

3417 each such expenditure; a description of the services or goods
 3418 obtained by each such expenditure; the issue to which the
 3419 expenditure relates; and the name and address of, and office
 3420 sought by, each candidate on whose behalf such expenditure was
 3421 made.

3422 (2) A ~~Any~~ political advertisement paid for by an
 3423 independent expenditure, other than such an expenditure by an
 3424 individual in an aggregate amount of \$500, shall prominently
 3425 state "Paid political advertisement paid for by ... (Name and
 3426 address of person paying for advertisement)... independently of
 3427 any ... (candidate or committee)...." However, an independent
 3428 expenditure made by an individual must state "Paid political
 3429 advertisement independent of any ... (candidate or
 3430 committee)...."

3431 Section 57. Paragraph (c) of subsection (3) and paragraph
 3432 (b) of subsection (6) of section 106.08, Florida Statutes, are
 3433 amended to read:

3434 106.08 Contributions; limitations on.-

3435 (3)

3436 ~~(c) With respect to any campaign for an office in which an~~
 3437 ~~independent or minor party candidate has filed as required in s.~~
 3438 ~~99.0955 or s. 99.096, but whose qualification is pending a~~
 3439 ~~determination by the Department of State or supervisor of~~
 3440 ~~elections as to whether or not the required number of petition~~
 3441 ~~signatures was obtained:~~

3442 ~~1. The department or supervisor shall, no later than 3~~
 3443 ~~days after that determination has been made, notify in writing~~
 3444 ~~all other candidates for that office of that determination.~~

3445 ~~2. Any contribution received by a candidate or the~~
 3446 ~~campaign treasurer or deputy campaign treasurer of a candidate~~
 3447 ~~after the candidate has been notified in writing by the~~
 3448 ~~department or supervisor that he or she has become unopposed as~~
 3449 ~~a result of an independent or minor party candidate failing to~~
 3450 ~~obtain the required number of petition signatures shall be~~
 3451 ~~returned to the person, political committee, or committee of~~
 3452 ~~continuous existence contributing it and shall not be used or~~
 3453 ~~expended by or on behalf of the candidate.~~

3454 (6)

3455 (b)1. A political party may not accept any in-kind
 3456 contribution that fails to provide a direct benefit to the
 3457 political party. A "direct benefit" includes, but is not limited
 3458 to, fundraising or furthering the objectives of the political
 3459 party.

3460 2.a. An in-kind contribution to a state political party
 3461 may be accepted only by the chairperson of the state political
 3462 party or by the chairperson's designee or designees whose names
 3463 are on file with the division in a form acceptable to the
 3464 division prior to the date of the written notice required in
 3465 sub-subparagraph b. An in-kind contribution to a county
 3466 political party may be accepted only by the chairperson of the
 3467 county political party or by the county chairperson's designee
 3468 or designees whose names are on file with the supervisor of
 3469 elections of the respective county prior to the date of the
 3470 written notice required in sub-subparagraph b.

3471 b. A person making an in-kind contribution to a state
 3472 political party or county political party must provide prior

3473 written notice of the contribution to a person described in sub-
 3474 subparagraph a. The prior written notice must be signed and
 3475 dated and may be provided by an electronic or facsimile message.
 3476 However, prior written notice is not required for an in-kind
 3477 contribution that consists of food and beverage in an aggregate
 3478 amount not exceeding \$1,500 which is consumed at a single
 3479 sitting or event if such in-kind contribution is accepted in
 3480 advance by a person specified in sub-subparagraph a.

3481 c. A person described in sub-subparagraph a. may accept an
 3482 in-kind contribution requiring prior written notice only in a
 3483 writing that is ~~signed and~~ dated before the in-kind contribution
 3484 is made. Failure to obtain the required written acceptance of an
 3485 in-kind contribution to a state or county political party
 3486 constitutes a refusal of the contribution.

3487 d. A copy of each prior written acceptance required under
 3488 sub-subparagraph c. must be filed ~~with the division~~ at the time
 3489 the regular reports of contributions and expenditures required
 3490 under s. 106.29 are filed by the state executive committee and
 3491 county executive committee. A state executive committee and an
 3492 affiliated party committee must file with the division. A county
 3493 executive committee must file with the county's supervisor of
 3494 elections.

3495 e. An in-kind contribution may not be given to a state or
 3496 county political party unless the in-kind contribution is made
 3497 as provided in this subparagraph.

3498 Section 58. Section 106.09, Florida Statutes, is amended
 3499 to read:

3500 106.09 Cash contributions and contribution by cashier's

3501 checks.—

3502 (1) (a) A person may not make an aggregate ~~or accept~~ a cash
 3503 contribution or contribution by means of a cashier's check to
 3504 the same candidate or committee in excess of \$50 per election.

3505 (b) A person may not accept an aggregate cash contribution
 3506 or contribution by means of a cashier's check from the same
 3507 contributor in excess of \$50 per election.

3508 (2) (a) Any person who makes or accepts a contribution in
 3509 ~~excess of \$50 in~~ violation of subsection (1) ~~this section~~
 3510 commits a misdemeanor of the first degree, punishable as
 3511 provided in s. 775.082 or s. 775.083.

3512 (b) Any person who knowingly and willfully makes or
 3513 accepts a contribution in excess of \$5,000 in violation of
 3514 subsection (1) ~~this section~~ commits a felony of the third
 3515 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 3516 775.084.

3517 Section 59. Paragraph (b) of subsection (1) and paragraph
 3518 (a) of subsection (2) of section 106.11, Florida Statutes, are
 3519 amended, and subsection (6) is added to that section, to read:

3520 106.11 Expenses of and expenditures by candidates and
 3521 political committees.—Each candidate and each political
 3522 committee which designates a primary campaign depository
 3523 pursuant to s. 106.021(1) shall make expenditures from funds on
 3524 deposit in such primary campaign depository only in the
 3525 following manner, with the exception of expenditures made from
 3526 petty cash funds provided by s. 106.12:

3527 (1)

3528 (b) The checks for such account shall contain, as a

3529 minimum, the following information:

3530 1. The statement ~~"Campaign Account of ... (name of~~
 3531 candidate or political committee) Campaign Account...."

3532 2. The account number and the name of the bank.

3533 3. The exact amount of the expenditure.

3534 4. The signature of the campaign treasurer or deputy
 3535 treasurer.

3536 5. The exact purpose for which the expenditure is
 3537 authorized.

3538 6. The name of the payee.

3539 (2) (a) For purposes of this section, debit cards are
 3540 considered bank checks, if:

3541 1. Debit cards are obtained from the same bank that has
 3542 been designated as the candidate's or political committee's
 3543 primary campaign depository.

3544 2. Debit cards are issued in the name of the treasurer,
 3545 deputy treasurer, or authorized user and state ~~"Campaign Account~~
 3546 of ... (name of candidate or political committee) Campaign
 3547 Account...."

3548 3. No more than three debit cards are requested and
 3549 issued.

3550 ~~4. Before a debit card is used, a list of all persons~~
 3551 ~~authorized to use the card is filed with the division.~~

3552 ~~5. All debit cards issued to a candidate's campaign or a~~
 3553 ~~political committee expire no later than midnight of the last~~
 3554 ~~day of the month of the general election.~~

3555 ~~4.6.~~ The person using the debit card does not receive cash
 3556 as part of, or independent of, any transaction for goods or

3557 services.

3558 ~~5.7.~~ All receipts for debit card transactions contain:

3559 a. The last four digits of the debit card number.

3560 b. The exact amount of the expenditure.

3561 c. The name of the payee.

3562 d. The signature of the campaign treasurer, deputy
3563 treasurer, or authorized user.

3564 e. The exact purpose for which the expenditure is
3565 authorized.

3566

3567 Any information required by this subparagraph but not included
3568 on the debit card transaction receipt may be handwritten on, or
3569 attached to, the receipt by the authorized user before
3570 submission to the treasurer.

3571 (6) A candidate who made a loan to his or her campaign and
3572 reported the loan as required by s. 106.07 may be reimbursed for
3573 the loan at any time the campaign account has sufficient funds
3574 to repay the loan and satisfy its other obligations.

3575 Section 60. Subsection (4) of section 106.141, Florida
3576 Statutes, is amended to read:

3577 106.141 Disposition of surplus funds by candidates.—

3578 (4) (a) Except as provided in paragraph (b), any candidate
3579 required to dispose of funds pursuant to this section shall, at
3580 the option of the candidate, dispose of such funds by any of the
3581 following means, or any combination thereof:

3582 1. Return pro rata to each contributor the funds that have
3583 not been spent or obligated.

3584 2. Donate the funds that have not been spent or obligated

3585 to a charitable organization or organizations that meet the
 3586 qualifications of s. 501(c)(3) of the Internal Revenue Code.

3587 3. Give ~~not more than \$10,000~~ of the funds that have not
 3588 been spent or obligated to the political party of which such
 3589 candidate is a member, ~~except that a candidate for the Florida~~
 3590 ~~Senate may give not more than \$30,000 of such funds to the~~
 3591 ~~political party of which the candidate is a member.~~

3592 4. Give the funds that have not been spent or obligated:

3593 a. In the case of a candidate for state office, to the
 3594 state, to be deposited in either the Election Campaign Financing
 3595 Trust Fund or the General Revenue Fund, as designated by the
 3596 candidate; or

3597 b. In the case of a candidate for an office of a political
 3598 subdivision, to such political subdivision, to be deposited in
 3599 the general fund thereof.

3600 (b) Any candidate required to dispose of funds pursuant to
 3601 this section who has received contributions pursuant to the
 3602 Florida Election Campaign Financing Act ~~from the Election~~
 3603 ~~Campaign Financing Trust Fund~~ shall, after all monetary
 3604 commitments pursuant to s. 106.11(5)(b) and (c) have been met,
 3605 return all surplus campaign funds to the General Revenue Fund
 3606 ~~Election Campaign Financing Trust Fund.~~

3607 Section 61. Section 106.143, Florida Statutes, is amended
 3608 to read:

3609 106.143 Political advertisements circulated prior to
 3610 election; requirements.—

3611 (1)(a) Any political advertisement that is paid for by a
 3612 candidate, other than a write-in candidate, and that is

3613 published, displayed, or circulated before, or on the day of,
 3614 any election must prominently state:

3615 1. "Political advertisement paid for and approved by
 3616 ...(name of candidate)..., ...(party affiliation)..., for
 3617 ...(office sought)..."; or

3618 2. "Paid by ...(name of candidate)..., ...(party
 3619 affiliation)..., for ...(office sought)...."

3620 (b) Any political advertisement that is paid for by a
 3621 write-in candidate and that is published, displayed, or
 3622 circulated before, or on the day of, any election must
 3623 prominently state:

3624 1. "Political advertisement paid for and approved by
 3625 ...(name of candidate)..., write-in candidate, for ...(office
 3626 sought)..."; or

3627 2. "Paid by ...(name of candidate)..., write-in candidate,
 3628 for ...(office sought)...."

3629 (c) ~~(b)~~ Any other political advertisement published,
 3630 displayed, or circulated before, or on the day of, any election
 3631 must prominently:

3632 1. Be marked "paid political advertisement" or with the
 3633 abbreviation "pd. pol. adv."

3634 2. State the name and address of the persons paying for
 3635 ~~sponsoring~~ the advertisement.

3636 3. ~~a. (I)~~ State whether the advertisement and the cost of
 3637 production is paid for or provided in kind by or at the expense
 3638 of the entity publishing, displaying, broadcasting, or
 3639 circulating the political advertisement; ~~or~~

3640 ~~(II) State who provided or paid for the advertisement and~~

3641 ~~cost of production, if different from the source of sponsorship.~~

3642 ~~b. This subparagraph does not apply if the source of the~~
 3643 ~~sponsorship is patently clear from the content or format of the~~
 3644 ~~political advertisement.~~

3645 ~~(d)(e)~~ Any political advertisement made pursuant to s.
 3646 106.021(3) (d) must ~~be marked "paid political advertisement" or~~
 3647 ~~with the abbreviation "pd. pol. adv." and must prominently state~~
 3648 ~~the name and address of the political party paying for the~~
 3649 ~~advertisement., "Paid for and sponsored by ... (name of person~~
 3650 ~~paying for political advertisement).... Approved by ... (names of~~
 3651 ~~persons, party affiliation, and offices sought in the political~~
 3652 ~~advertisement)...."~~

3653 (2) Political advertisements made as in-kind contributions
 3654 from a political party must prominently state: "Paid political
 3655 advertisement paid for in-kind by ... (name of political
 3656 party).... Approved by ... (name of person, party affiliation,
 3657 and office sought in the political advertisement)...."

3658 ~~(3)(2)~~ Any political advertisement of a candidate running
 3659 for partisan office shall express the name of the political
 3660 party of which the candidate is seeking nomination or is the
 3661 nominee. If the candidate for partisan office is running as a
 3662 candidate with no party affiliation, any political advertisement
 3663 of the candidate must state that the candidate has no party
 3664 affiliation. A candidate for nonpartisan office is prohibited
 3665 from campaigning based on party affiliation.

3666 ~~(4)(3)~~ It is unlawful for any candidate or person on
 3667 behalf of a candidate to represent that any person or
 3668 organization supports such candidate, unless the person or

3669 organization so represented has given specific approval in
 3670 writing to the candidate to make such representation. However,
 3671 this subsection does not apply to:

3672 (a) Editorial endorsement by any newspaper, radio or
 3673 television station, or other recognized news medium.

3674 (b) Publication by a party committee advocating the
 3675 candidacy of its nominees.

3676 (5)-(4) (a) Any political advertisement not paid for by a
 3677 candidate, including those paid for by a political party, other
 3678 than an independent expenditure, offered ~~by or~~ on behalf of a
 3679 candidate must be approved in advance by the candidate. Such
 3680 political advertisement must expressly state that the content of
 3681 the advertisement was approved by the candidate, unless the
 3682 political advertisement is published, displayed, or circulated
 3683 in compliance with subparagraph (1)(a)2., and must state who
 3684 paid for the advertisement. The candidate shall provide a
 3685 written statement of authorization to the newspaper, radio
 3686 station, television station, or other medium for each such
 3687 advertisement submitted for publication, display, broadcast, or
 3688 other distribution.

3689 (b) Any person who makes an independent expenditure for a
 3690 political advertisement shall provide a written statement that
 3691 no candidate has approved the advertisement to the newspaper,
 3692 radio station, television station, or other medium for each such
 3693 advertisement submitted for publication, display, broadcast, or
 3694 other distribution. The advertisement must also contain a
 3695 statement that no candidate has approved the advertisement.

3696 ~~(c) This subsection does not apply to campaign messages~~

3697 ~~used by a candidate and his or her supporters if those messages~~
3698 ~~are designed to be worn by a person.~~

3699 (6)~~(5)~~ No political advertisement of a candidate who is
3700 not an incumbent of the office for which the candidate is
3701 running shall use the word "re-elect." Additionally, such
3702 advertisement must include the word "for" between the
3703 candidate's name and the office for which the candidate is
3704 running, in order that incumbency is not implied. This
3705 subsection does not apply to bumper stickers or items designed
3706 to be worn by a person.

3707 (7) Political advertisements paid for by a political party
3708 or an affiliated party committee may use names and abbreviations
3709 as registered under s. 103.081 in the disclaimer.

3710 (8)~~(6)~~ This section does not apply to novelty items having
3711 a retail value of \$10 or less which support, but do not oppose,
3712 a candidate or issue.

3713 (9)~~(7)~~ Any political advertisement which is published,
3714 displayed, or produced in a language other than English may
3715 provide the information required by this section in the language
3716 used in the advertisement.

3717 (10)~~(8)~~ This section does not apply to any campaign
3718 message or political advertisement used by a candidate and the
3719 candidate's supporters or by a political committee if the
3720 message or advertisement is:

3721 (a) Designed to be worn by a person.

3722 (b) Placed as a paid link on an Internet website, provided
3723 the message or advertisement is no more than 200 characters in
3724 length and the link directs the user to another Internet website

3725 that complies with subsection (1).

3726 (c) Placed as a graphic or picture link where compliance
3727 with the requirements of this section is not reasonably
3728 practical due to the size of the graphic or picture link and the
3729 link directs the user to another Internet website that complies
3730 with subsection (1).

3731 (d) Placed at no cost on an Internet website for which
3732 there is no cost to post content for public users.

3733 (e) Placed or distributed on an unpaid profile or account
3734 which is available to the public without charge or on a social
3735 networking Internet website, as long as the source of the
3736 message or advertisement is patently clear from the content or
3737 format of the message or advertisement. A candidate or political
3738 committee may prominently display a statement indicating that
3739 the website or account is an official website or account of the
3740 candidate or political committee and is approved by the
3741 candidate or political committee. A website or account may not
3742 be marked as official without prior approval by the candidate or
3743 political committee.

3744 (f) Distributed as a text message or other message via
3745 Short Message Service, provided the message is no more than 200
3746 characters in length or requires the recipient to sign up or opt
3747 in to receive it.

3748 (g) Connected with or included in any software application
3749 or accompanying function, provided that the user signs up, opts
3750 in, downloads, or otherwise accesses the application from or
3751 through a website that complies with subsection (1).

3752 (h) Sent by a third-party user from or through a campaign

3753 or committee's website, provided the website complies with
 3754 subsection (1).

3755 (i) Contained in or distributed through any other
 3756 technology-related item, service, or device for which compliance
 3757 with subsection (1) is not reasonably practical due to the size
 3758 or nature of such item, service, or device as available, or the
 3759 means of displaying the message or advertisement makes
 3760 compliance with subsection (1) impracticable.

3761 ~~(11)(9)~~ Any person who willfully violates any provision of
 3762 this section is subject to the civil penalties prescribed in s.
 3763 106.265.

3764 Section 62. Subsection (4) of section 106.15, Florida
 3765 Statutes, is amended to read:

3766 106.15 Certain acts prohibited.—

3767 (4) (a) No person shall make and no person shall solicit or
 3768 knowingly accept any political contribution in a government-
 3769 occupied room or building space ~~building owned by a governmental~~
 3770 ~~entity.~~

3771 (b) For purposes of this subsection, the term:

3772 1. "Accept" means to receive a contribution by personal
 3773 hand delivery from a contributor or the contributor's agent.

3774 2. "Government-occupied room or building space" means the
 3775 building, or in the case of a partial occupancy that portion of
 3776 a building, owned or leased and being used by a governmental
 3777 entity. However, in the case of a partial occupancy where other
 3778 tenants or owners simultaneously occupy a different portion of
 3779 the building, the term excludes common areas not under the
 3780 exclusive control of the governmental entity, including, but not

3781 limited to, break rooms, hallways, elevators, stairwells, and
 3782 conference rooms.

3783 (c) This subsection does ~~shall~~ not apply when a
 3784 government-occupied room or building space ~~government-owned~~
 3785 ~~building~~ or any portion thereof is rented for the specific
 3786 purpose of holding a campaign fund raiser.

3787 Section 63. Section 106.17, Florida Statutes, is amended
 3788 to read:

3789 106.17 Polls and surveys relating to candidacies.—Any
 3790 candidate, political committee, committee of continuous
 3791 existence, electioneering communication organization, ~~or~~ state
 3792 or county executive committee of a political party, or an
 3793 affiliated party committee may authorize or conduct a political
 3794 poll, survey, index, or measurement of any kind relating to
 3795 candidacy for public office so long as the candidate, political
 3796 committee, committee of continuous existence, electioneering
 3797 communication organization, affiliated party committee, or
 3798 political party maintains complete jurisdiction over the poll in
 3799 all its aspects. State and county executive committees of a
 3800 political party or an affiliated party committee may authorize
 3801 and conduct political polls for the purpose of determining the
 3802 viability of potential candidates. Such poll results may be
 3803 shared with potential candidates and expenditures incurred by
 3804 state and county executive committees or an affiliated party
 3805 committee for potential candidate polls are not contributions to
 3806 the potential candidates.

3807 Section 64. Subsection (4) is added to section 106.19,
 3808 Florida Statutes, to read:

3809 106.19 Violations by candidates, persons connected with
3810 campaigns, and political committees.—

3811 (4) Except as otherwise expressly stated, the failure by a
3812 candidate to comply with the requirements of this chapter has no
3813 effect upon whether the candidate has qualified for the office
3814 the candidate is seeking.

3815 Section 65. Subsections (2) and (3), paragraph (i) of
3816 subsection (4), and subsection (5) of section 106.25, Florida
3817 Statutes, are amended to read:

3818 106.25 Reports of alleged violations to Florida Elections
3819 Commission; disposition of findings.—

3820 (2) The commission shall investigate all violations of
3821 this chapter and chapter 104, but only after having received
3822 either a sworn complaint or information reported to it under
3823 this subsection by the Division of Elections. Such sworn
3824 complaint must be based upon personal information or information
3825 other than hearsay. Any person, other than the division, having
3826 information of any violation of this chapter or chapter 104
3827 shall file a sworn complaint with the commission. The commission
3828 shall investigate only those alleged violations specifically
3829 contained within the sworn complaint. If any complainant fails
3830 to allege all violations that arise from the facts or
3831 allegations alleged in a complaint, the commission shall be
3832 barred from investigating a subsequent complaint from such
3833 complainant that is based upon such facts or allegations that
3834 were raised or could have been raised in the first complaint. If
3835 the complaint includes allegations of violations relating to
3836 expense items reimbursed by a candidate, committee, or

3837 organization to the campaign account before a sworn complaint is
3838 filed, the commission shall be barred from investigating such
3839 allegations. Such sworn complaint shall state whether a
3840 complaint of the same violation has been made to any state
3841 attorney. Within 5 days after receipt of a sworn complaint, the
3842 commission shall transmit a copy of the complaint to the alleged
3843 violator. The respondent shall have 14 days after receipt of the
3844 complainant to file an initial response prior to the executive
3845 director's determination of legal sufficiency. If the executive
3846 director finds that the complaint is legally sufficient, the
3847 respondent shall be notified of such finding by letter, which
3848 sets forth the statutory provisions alleged to have been
3849 violated and the alleged factual basis that supports the
3850 finding. All sworn complaints alleging violations of the Florida
3851 Election Code over which the commission has jurisdiction shall
3852 be filed with the commission within 2 years after the alleged
3853 violations. The period of limitations is tolled on the day a
3854 sworn complaint is filed with the commission. The complainant
3855 may withdraw the sworn complaint at any time prior to a probable
3856 cause hearing if good cause is shown. Withdrawal shall be
3857 requested in writing, signed by the complainant, and witnessed
3858 by a notary public, stating the facts and circumstances
3859 constituting good cause. The executive director shall prepare a
3860 written recommendation regarding disposition of the request
3861 which shall be given to the commission together with the
3862 request. "Good cause" shall be determined based upon the legal
3863 sufficiency or insufficiency of the complaint to allege a
3864 violation and the reasons given by the complainant for wishing

3865 to withdraw the complaint. If withdrawal is permitted, the
 3866 commission must close the investigation and the case. No further
 3867 action may be taken. The complaint will become a public record
 3868 at the time of withdrawal.

3869 (3) For the purposes of commission jurisdiction, a
 3870 violation shall mean the willful performance of an act
 3871 prohibited by this chapter or chapter 104 or the willful failure
 3872 to perform an act required by this chapter or chapter 104. The
 3873 commission may not by rule determine what constitutes
 3874 willfulness or further define the term as provided in this
 3875 chapter or chapter 104. Willfulness is a determination of fact;
 3876 however, at the request of the respondent at any time after
 3877 probable cause is found, willfulness may be considered and
 3878 determined in an informal hearing before the commission.

3879 (4) The commission shall undertake a preliminary
 3880 investigation to determine if the facts alleged in a sworn
 3881 complaint or a matter initiated by the division constitute
 3882 probable cause to believe that a violation has occurred.

3883 (i)1. Upon a commission finding of probable cause, the
 3884 counsel for the commission shall attempt to reach a consent
 3885 agreement with the respondent. At any time, the commission may
 3886 enter into a consent order with a respondent without requiring
 3887 the respondent to admit to having violated a section for which
 3888 the commission has jurisdiction.

3889 2. A consent agreement is not binding upon either party
 3890 unless and until it is signed by the respondent and by counsel
 3891 for the commission upon approval by the commission.

3892 3. Nothing herein shall be construed to prevent the

3893 | commission from entering into a consent agreement with a
 3894 | respondent prior to a commission finding of probable cause if a
 3895 | respondent indicates in writing a desire to enter into
 3896 | negotiations directed towards reaching such a consent agreement.
 3897 | Any consent agreement reached under this subparagraph is subject
 3898 | to the provisions of subparagraph 2. and shall have the same
 3899 | force and effect as a consent agreement reached after the
 3900 | commission finding of probable cause.

3901 |
 3902 | In a case where probable cause is found, the commission shall
 3903 | make a preliminary determination to consider the matter or to
 3904 | refer the matter to the state attorney for the judicial circuit
 3905 | in which the alleged violation occurred. Notwithstanding any
 3906 | other provisions of this section, the commission may, at its
 3907 | discretion, dismiss any complaint at any stage of disposition if
 3908 | it determines that the public interest would not be served by
 3909 | proceeding further, in which case the commission shall issue a
 3910 | public report stating with particularity its reasons for the
 3911 | dismissal.

3912 | (5) ~~Unless~~ A person alleged by the Elections Commission to
 3913 | have committed a violation of this chapter or chapter 104 may
 3914 | elect, as a matter of right elects, within 30 days after the
 3915 | date of the filing of the commission's allegations, to have a
 3916 | formal administrative hearing conducted by an administrative law
 3917 | judge in the Division of Administrative Hearings. The
 3918 | administrative law judge in such proceedings shall enter a final
 3919 | order, which may include the imposition of civil penalties, and
 3920 | the formal or informal hearing conducted before the commission,

3921 ~~or elects to resolve the complaint by consent order, such person~~
 3922 ~~shall be entitled to a formal administrative hearing conducted~~
 3923 ~~by an administrative law judge in the Division of Administrative~~
 3924 ~~Hearings. The administrative law judge in such proceedings shall~~
 3925 ~~enter a final order~~ is subject to appeal as provided in s.
 3926 120.68.

3927 Section 66. Subsection (1) of section 106.26, Florida
 3928 Statutes, is amended to read:

3929 106.26 Powers of commission; rights and responsibilities
 3930 of parties; findings by commission.—

3931 (1) The commission shall, pursuant to rules adopted and
 3932 published in accordance with chapter 120, consider all sworn
 3933 complaints filed with it and all matters reported to it by the
 3934 Division of Elections. In order to carry out the
 3935 responsibilities prescribed by this chapter, the commission is
 3936 empowered to subpoena and bring before it, or its duly
 3937 authorized representatives, any person in the state, or any
 3938 person doing business in the state, or any person who has filed
 3939 or is required to have filed any application, document, papers,
 3940 or other information with an office or agency of this state or a
 3941 political subdivision thereof and to require the production of
 3942 any papers, books, or other records relevant to any
 3943 investigation, including the records and accounts of any bank or
 3944 trust company doing business in this state. Duly authorized
 3945 representatives of the commission are empowered to administer
 3946 all oaths and affirmations in the manner prescribed by law to
 3947 witnesses who shall appear before them concerning any relevant
 3948 matter. Should any witness fail to respond to the lawful

CS/CS/HB 1355, Engrossed 1

2011

3949 subpoena of the commission or, having responded, fail to answer
3950 all lawful inquiries or to turn over evidence that has been
3951 subpoenaed, the commission may file a complaint in the ~~before~~
3952 any circuit court where the witness resides ~~of the state~~ setting
3953 up such failure on the part of the witness. On the filing of
3954 such complaint, the court shall take jurisdiction of the witness
3955 and the subject matter of said complaint and shall direct the
3956 witness to respond to all lawful questions and to produce all
3957 documentary evidence in the witness's possession which is
3958 lawfully demanded. The failure of any witness to comply with
3959 such order of the court shall constitute a direct and criminal
3960 contempt of court, and the court shall punish said witness
3961 accordingly. However, the refusal by a witness to answer
3962 inquiries or turn over evidence on the basis that such testimony
3963 or material will tend to incriminate such witness shall not be
3964 deemed refusal to comply with the provisions of this chapter.
3965 The sheriffs in the several counties shall make such service and
3966 execute all process or orders when required by the commission.
3967 Sheriffs shall be paid for these services by the commission as
3968 provided for in s. 30.231. Any person who is served with a
3969 subpoena to attend a hearing of the commission also shall be
3970 served with a general statement informing him or her of the
3971 subject matter of the commission's investigation or inquiry and
3972 a notice that he or she may be accompanied at the hearing by
3973 counsel of his or her own choosing.

3974 Section 67. Section 106.265, Florida Statutes, is amended
3975 to read:

3976 106.265 Civil penalties.—

3977 (1) The commission or, in cases referred to the Division
 3978 of Administrative Hearings pursuant to s. 106.25(5), an
 3979 administrative law judge is authorized upon the finding of a
 3980 violation of this chapter or chapter 104 to impose civil
 3981 penalties in the form of fines not to exceed \$1,000 per count
 3982 or, if applicable, to impose a civil penalty as provided in s.
 3983 106.19.

3984 (2) In determining the amount of such civil penalties, the
 3985 commission or the administrative law judge shall consider, among
 3986 other mitigating and aggravating circumstances:

3987 (a) The gravity of the act or omission;

3988 (b) Any previous history of similar acts or omissions;

3989 (c) The appropriateness of such penalty to the financial
 3990 resources of the person, political committee, committee of
 3991 continuous existence, electioneering communications
 3992 organization, or political party; and

3993 (d) Whether the person, political committee, committee of
 3994 continuous existence, electioneering communications
 3995 organization, or political party has shown good faith in
 3996 attempting to comply with the provisions of this chapter or
 3997 chapter 104.

3998 (3)~~(2)~~ If any person, political committee, committee of
 3999 continuous existence, electioneering communications
 4000 organization, or political party fails or refuses to pay to the
 4001 commission any civil penalties assessed pursuant to the
 4002 provisions of this section, the commission shall be responsible
 4003 for collecting the civil penalties resulting from such action.

4004 (4)~~(3)~~ Any civil penalty collected pursuant to the

4005 provisions of this section shall be deposited into the General
 4006 Revenue Fund ~~Election Campaign Financing Trust Fund.~~

4007 (5)~~(4)~~ ~~Notwithstanding any other provisions of this~~
 4008 ~~chapter,~~ Any fine assessed pursuant to the provisions of this
 4009 chapter shall, ~~which fine is designated to be deposited or which~~
 4010 ~~would otherwise~~ be deposited into the General Revenue Fund ~~of~~
 4011 ~~the state,~~ ~~shall be deposited into the Election Campaign~~
 4012 ~~Financing Trust Fund.~~

4013 (6)~~(5)~~ In any case in which the commission determines that
 4014 a person has filed a complaint against another person with a
 4015 malicious intent to injure the reputation of the person
 4016 complained against by filing the complaint with knowledge that
 4017 the complaint contains one or more false allegations or with
 4018 reckless disregard for whether the complaint contains false
 4019 allegations of fact material to a violation of this chapter or
 4020 chapter 104, the complainant shall be liable for costs and
 4021 reasonable attorney's fees incurred in the defense of the person
 4022 complained against, including the costs and reasonable
 4023 attorney's fees incurred in proving entitlement to and the
 4024 amount of costs and fees. If the complainant fails to pay such
 4025 costs and fees voluntarily within 30 days following such finding
 4026 by the commission, the commission shall forward such information
 4027 to the Department of Legal Affairs, which shall bring a civil
 4028 action in a court of competent jurisdiction to recover the
 4029 amount of such costs and fees awarded by the commission.

4030 Section 68. Subsection (1) and paragraph (b) of subsection
 4031 (3) of section 106.29, Florida Statutes, are amended to read:
 4032 106.29 Reports by political parties; restrictions on

4033 contributions and expenditures; penalties.—

4034 (1) The state executive committee and each county

4035 executive committee of each political party regulated by chapter

4036 103 shall file regular reports of all contributions received and

4037 all expenditures made by such committee. In addition, when a

4038 special election is called to fill a vacancy in office, each

4039 state executive committee, each affiliated party committee, and

4040 each county executive committee making contributions or

4041 expenditures to influence the results of the special election or

4042 the preceding special primary election must file a campaign

4043 treasurer's report on the dates set by the Department of State

4044 pursuant to s. 100.111. Such reports shall contain the same

4045 information as do reports required of candidates by s. 106.07

4046 and shall be filed on the 10th day following the end of each

4047 calendar quarter, except that, during the period from the last

4048 day for candidate qualifying until the general election, such

4049 reports shall be filed on the Friday immediately preceding each

4050 special primary election, special election, and both the primary

4051 election and the general election. In addition to the reports

4052 filed under this section, the state executive committee and each

4053 county executive committee shall file a copy of each prior

4054 written acceptance of an in-kind contribution given by the

4055 committee during the preceding calendar quarter as required

4056 under s. 106.08(6). Each state executive committee shall file

4057 ~~the original and one copy of~~ its reports with the Division of

4058 Elections. Each county executive committee shall file its

4059 reports with the supervisor of elections in the county in which

4060 such committee exists. Any state or county executive committee

4061 failing to file a report on the designated due date shall be
 4062 subject to a fine as provided in subsection (3). A ~~No~~ separate
 4063 fine may not ~~shall~~ be assessed for failure to file a copy of any
 4064 report required by this section.

4065 (3)

4066 (b) Upon determining that a report is late, the filing
 4067 officer shall immediately notify the chair of the executive
 4068 committee as to the failure to file a report by the designated
 4069 due date and that a fine is being assessed for each late day.
 4070 The fine shall be \$1,000 for a state executive committee, and
 4071 \$50 for a county executive committee, per day for each late day,
 4072 not to exceed 25 percent of the total receipts or expenditures,
 4073 whichever is greater, for the period covered by the late report.
 4074 However, if an executive committee fails to file a report on the
 4075 Friday immediately preceding the special election or general
 4076 election, the fine shall be \$10,000 per day for each day a state
 4077 executive committee is late and \$500 per day for each day a
 4078 county executive committee is late. Upon receipt of the report,
 4079 the filing officer shall determine the amount of the fine which
 4080 is due and shall notify the chair. Notice is deemed sufficient
 4081 upon proof of delivery of written notice to the mailing or
 4082 street address on record with the filing officer. The filing
 4083 officer shall determine the amount of the fine due based upon
 4084 the earliest of the following:

- 4085 1. When the report is actually received by such officer.
- 4086 2. When the report is postmarked.
- 4087 3. When the certificate of mailing is dated.
- 4088 4. When the receipt from an established courier company is

4089 | dated.

4090 | 5. When the electronic receipt issued pursuant to s.
4091 | 106.0705 is dated.

4092 |
4093 | Such fine shall be paid to the filing officer within 20 days
4094 | after receipt of the notice of payment due, unless appeal is
4095 | made to the Florida Elections Commission pursuant to paragraph
4096 | (c). An officer or member of an executive committee shall not be
4097 | personally liable for such fine.

4098 | Section 69. Subsection (5) of section 106.35, Florida
4099 | Statutes, is amended to read:

4100 | 106.35 Distribution of funds.—

4101 | (5) The division shall adopt rules providing for the
4102 | weekly reports and certification and distribution of funds
4103 | pursuant thereto required by this section. Such rules shall, at
4104 | a minimum, provide for:

4105 | ~~(a) Specifications for printed campaign treasurer's~~
4106 | ~~reports outlining the format for such reports, including size of~~
4107 | ~~paper, typeface, color of print, and placement of required~~
4108 | ~~information on the form.~~

4109 | ~~(b)1.~~ specifications for electronically transmitted
4110 | campaign treasurer's reports outlining communication parameters
4111 | and protocol, data record formats, and provisions for ensuring
4112 | security of data and transmission.

4113 | ~~2. All electronically transmitted campaign treasurer's~~
4114 | ~~reports must also be filed in printed format. Printed format~~
4115 | ~~shall not include campaign treasurer's reports submitted by~~
4116 | ~~electronic facsimile transmission.~~

4117 Section 70. Section 106.355, Florida Statutes, is amended
 4118 to read:

4119 106.355 Nonparticipating candidate exceeding limits.—
 4120 Whenever a candidate for the office of Governor or member of the
 4121 Cabinet who has elected not to participate in election campaign
 4122 financing under the provisions of ss. 106.30-106.36 exceeds the
 4123 applicable expenditure limit provided in s. 106.34, all opposing
 4124 candidates participating in such election campaign financing
 4125 are, notwithstanding the provisions of s. 106.33 or any other
 4126 provision requiring adherence to such limit, released from such
 4127 expenditure limit to the extent the nonparticipating candidate
 4128 exceeded the limit, are still eligible for matching
 4129 contributions up to such limit, and shall not be required to
 4130 reimburse any matching funds provided pursuant thereto. ~~In~~
 4131 ~~addition, the Department of State shall, within 7 days after a~~
 4132 ~~request by a participating candidate, provide such candidate~~
 4133 ~~with funds from the Election Campaign Financing Trust Fund equal~~
 4134 ~~to the amount by which the nonparticipating candidate exceeded~~
 4135 ~~the expenditure limit, not to exceed twice the amount of the~~
 4136 ~~maximum expenditure limits specified in s. 106.34(1)(a) and (b),~~
 4137 ~~which funds shall not be considered matching funds.~~

4138 Section 71. Paragraph (d) of subsection (1) of section
 4139 11.045, Florida Statutes, is amended to read:

4140 11.045 Lobbying before the Legislature; registration and
 4141 reporting; exemptions; penalties.—

4142 (1) As used in this section, unless the context otherwise
 4143 requires:

4144 (d) "Expenditure" means a payment, distribution, loan,

4145 advance, reimbursement, deposit, or anything of value made by a
 4146 lobbyist or principal for the purpose of lobbying. The term
 4147 "expenditure" does not include contributions or expenditures
 4148 reported pursuant to chapter 106 or federal election law, funds
 4149 received or spent under s. 106.012, campaign-related personal
 4150 services provided without compensation by individuals
 4151 volunteering their time, any other contribution or expenditure
 4152 made by or to a political party, or any other contribution or
 4153 expenditure made by an organization that is exempt from taxation
 4154 under 26 U.S.C. s. 527 or s. 501(c)(4).

4155 Section 72. Paragraph (b) of subsection (12) of section
 4156 112.312, Florida Statutes, is amended to read:

4157 112.312 Definitions.—As used in this part and for purposes
 4158 of the provisions of s. 8, Art. II of the State Constitution,
 4159 unless the context otherwise requires:

4160 (12)

4161 (b) "Gift" does not include:

4162 1. Salary, benefits, services, fees, commissions, gifts,
 4163 or expenses associated primarily with the donee's employment,
 4164 business, or service as an officer or director of a corporation
 4165 or organization.

4166 2. Contributions or expenditures reported pursuant to
 4167 chapter 106, funds received or spent under s. 106.012,
 4168 contributions or expenditures reported pursuant to federal
 4169 election law, campaign-related personal services provided
 4170 without compensation by individuals volunteering their time, or
 4171 any other contribution or expenditure by a political party.

4172 3. An honorarium or an expense related to an honorarium

4173 event paid to a person or the person's spouse.

4174 4. An award, plaque, certificate, or similar personalized
4175 item given in recognition of the donee's public, civic,
4176 charitable, or professional service.

4177 5. An honorary membership in a service or fraternal
4178 organization presented merely as a courtesy by such
4179 organization.

4180 6. The use of a public facility or public property, made
4181 available by a governmental agency, for a public purpose.

4182 7. Transportation provided to a public officer or employee
4183 by an agency in relation to officially approved governmental
4184 business.

4185 8. Gifts provided directly or indirectly by a state,
4186 regional, or national organization which promotes the exchange
4187 of ideas between, or the professional development of,
4188 governmental officials or employees, and whose membership is
4189 primarily composed of elected or appointed public officials or
4190 staff, to members of that organization or officials or staff of
4191 a governmental agency that is a member of that organization.

4192 Section 73. Paragraph (d) of subsection (1) of section
4193 112.3215, Florida Statutes, is amended to read:

4194 112.3215 Lobbying before the executive branch or the
4195 Constitution Revision Commission; registration and reporting;
4196 investigation by commission.—

4197 (1) For the purposes of this section:

4198 (d) "Expenditure" means a payment, distribution, loan,
4199 advance, reimbursement, deposit, or anything of value made by a
4200 lobbyist or principal for the purpose of lobbying. The term

4201 "expenditure" does not include contributions or expenditures
 4202 reported pursuant to chapter 106, funds received or spent under
 4203 s. 106.012, or contributions or expenditures reported pursuant
 4204 to federal election law, campaign-related personal services
 4205 provided without compensation by individuals volunteering their
 4206 time, any other contribution or expenditure made by or to a
 4207 political party, or any other contribution or expenditure made
 4208 by an organization that is exempt from taxation under 26 U.S.C.
 4209 s. 527 or s. 501(c)(4).

4210 Section 74. Subsection (1) of section 876.05, Florida
 4211 Statutes, is amended to read:

4212 876.05 Public employees; oath.—

4213 (1) All persons who now or hereafter are employed by or
 4214 who now or hereafter are on the payroll of the state, or any of
 4215 its departments and agencies, subdivisions, counties, cities,
 4216 school boards and districts of the free public school system of
 4217 the state or counties, or institutions of higher learning, ~~and~~
 4218 ~~all candidates for public office,~~ except candidates for federal
 4219 office, are required to take an oath before any person duly
 4220 authorized to take acknowledgments of instruments for public
 4221 record in the state in the following form:

4222 I,, a citizen of the State of Florida and of the
 4223 United States of America, and being employed by or an officer of
 4224 and a recipient of public funds as such employee or
 4225 officer, do hereby solemnly swear or affirm that I will support
 4226 the Constitution of the United States and of the State of
 4227 Florida.

4228 Section 75. Section 100.101, Florida Statutes, is amended

4229 to read:

4230 100.101 Special elections and special primary elections.—

4231 ~~Except as provided in s. 100.111(2),~~ A special election or

4232 special primary election shall be held in the following cases:

4233 (1) If no person has been elected at a general election to
 4234 fill an office which was required to be filled by election at
 4235 such general election.

4236 (2) If a vacancy occurs in the office of state senator or
 4237 member of the state house of representatives.

4238 (3) If it is necessary to elect presidential electors, by
 4239 reason of the offices of President and Vice President both
 4240 having become vacant.

4241 (4) If a vacancy occurs in the office of member from
 4242 Florida of the House of Representatives of Congress.

4243 Section 76. Section 103.161, Florida Statutes, is
 4244 repealed.

4245 Section 77. Section 876.07, Florida Statutes, is repealed.

4246 Section 78. Effective upon this act becoming a law,
 4247 subsections (1) and (2) of section 101.161, Florida Statutes,
 4248 are amended, and subsection (4) is added to that section, to
 4249 read:

4250 101.161 Referenda; ballots.—

4251 (1) Whenever a constitutional amendment or other public
 4252 measure is submitted to the vote of the people, a ballot summary
 4253 ~~the substance~~ of such amendment or other public measure shall be
 4254 printed in clear and unambiguous language on the ballot after
 4255 the list of candidates, followed by the word "yes" and also by
 4256 the word "no," and shall be styled in such a manner that a "yes"

4257 | vote will indicate approval of the proposal and a "no" vote will
 4258 | indicate rejection. The ballot summary ~~wording of the substance~~
 4259 | of the amendment or other public measure and the ballot title to
 4260 | appear on the ballot shall be embodied in the ~~joint resolution,~~
 4261 | constitutional revision commission proposal, constitutional
 4262 | convention proposal, taxation and budget reform commission
 4263 | proposal, or enabling resolution or ordinance. ~~Except for~~
 4264 | ~~amendments and ballot language proposed by joint resolution,~~ The
 4265 | ballot summary ~~substance~~ of the amendment or other public
 4266 | measure shall be an explanatory statement, not exceeding 75
 4267 | words in length, of the chief purpose of the measure. In
 4268 | addition, for every amendment proposed by initiative, the ballot
 4269 | shall include, following the ballot summary, a separate
 4270 | financial impact statement concerning the measure prepared by
 4271 | the Financial Impact Estimating Conference in accordance with s.
 4272 | 100.371(5). The ballot title shall consist of a caption, not
 4273 | exceeding 15 words in length, by which the measure is commonly
 4274 | referred to or spoken of. This subsection does not apply to
 4275 | constitutional amendments or revisions proposed by joint
 4276 | resolution.

4277 | (2) The ballot summary ~~substance~~ and ballot title of a
 4278 | constitutional amendment proposed by initiative shall be
 4279 | prepared by the sponsor and approved by the Secretary of State
 4280 | in accordance with rules adopted pursuant to s. 120.54. The
 4281 | Department of State shall give each proposed constitutional
 4282 | amendment a designating number for convenient reference. This
 4283 | number designation shall appear on the ballot. Designating
 4284 | numbers shall be assigned in the order of filing or

4285 certification and in accordance with rules adopted by the
4286 Department of State. The Department of State shall furnish the
4287 designating number, the ballot title, and the ballot summary
4288 ~~substance~~ of each amendment, unless otherwise specified in a
4289 joint resolution, to the supervisor of elections of each county
4290 in which such amendment is to be voted on.

4291 (4) (a) Whenever a constitutional amendment or revision is
4292 proposed by joint resolution, the joint resolution shall include
4293 a ballot title consisting of a caption, not exceeding 15 words
4294 in length, by which the measure is commonly referred to or
4295 spoken of. The joint resolution may include a ballot summary or
4296 alternate ballot summaries, listed in order of preference,
4297 describing the chief purpose of the amendment or revision in
4298 clear and unambiguous language. The joint resolution shall
4299 specify placement on the ballot of a ballot title and either a
4300 ballot summary embodied in the joint resolution or the full text
4301 of the proposed amendment or revision. As specified by the joint
4302 resolution, the ballot title and ballot summary, or the ballot
4303 title and the full text of the proposed amendment or revision,
4304 shall be printed on the ballot, with a designating number
4305 assigned by the Secretary of State pursuant to subsection (2),
4306 after the list of candidates, followed by the word "yes" and
4307 also by the word "no," and shall be styled in such a manner that
4308 a "yes" vote will indicate approval of the proposal and a "no"
4309 vote will indicate rejection. The Department of State shall
4310 furnish the designating number and, as specified by the joint
4311 resolution proposing an amendment or revision, the ballot title
4312 and a ballot summary or the full text of the amendment or

4313 revision to the supervisor of elections of each county.

4314 (b) If the court determines that each ballot summary
4315 embodied in a joint resolution is defective, the full text of
4316 the proposed amendment or revision shall appear on the ballot in
4317 lieu of a ballot summary unless the Secretary of State certifies
4318 to the court that placement of the full text on the ballot is
4319 incompatible with voting systems that must be utilized during
4320 the election at which the proposed amendment will be presented
4321 to voters and that no other available accommodation will enable
4322 persons with disabilities to vote on the proposed amendment or
4323 revision. If the Secretary of State submits such certification
4324 or the court determines that all ballot summaries in the joint
4325 resolution are deficient and that the full text of a proposed
4326 amendment or revision may not be placed on the ballot, and
4327 further appeals are declined, abandoned, or exhausted, unless
4328 otherwise provided in the joint resolution, the Attorney General
4329 shall prepare and submit within 10 days to the Secretary of
4330 State and the court a revised ballot summary that corrects
4331 ballot summary deficiencies identified by the court. That court
4332 shall retain jurisdiction over challenges to any revised ballot
4333 summary submitted by the Attorney General, and any challenge to
4334 a revised ballot summary shall be filed within 10 days after the
4335 revised ballot summary is submitted to the court by the Attorney
4336 General.

4337 (c)1. If the full text of a proposed amendment or revision
4338 delineates existing text in the State Constitution that will be
4339 removed or replaced if approved by the electors, the full text
4340 shall be presumed to be a clear and unambiguous statement of the

4341 substance and effect of the amendment or revision, providing
 4342 fair notice to the electors of the content of the proposal and
 4343 sufficiently advising electors of the issue upon which they are
 4344 voting.

4345 2. In determining whether a ballot summary, the ballot
 4346 title, or the full text of a proposed amendment or revision is
 4347 legally sufficient, the court shall use the same rules of
 4348 construction to interpret language in a proposed constitutional
 4349 amendment as it does when interpreting existing constitutional
 4350 provisions.

4351 (d)1. Any legal action challenging placement on the ballot
 4352 of a ballot title, any ballot summary, or the full text of a
 4353 proposed amendment or revision embodied in a joint resolution on
 4354 constitutional, statutory, or other grounds must be commenced by
 4355 filing a complaint or petition with the appropriate court within
 4356 30 days after the joint resolution is filed with the Secretary
 4357 of State. Furthermore, in any legal action challenging placement
 4358 on the ballot of any ballot summary embodied in a joint
 4359 resolution, the complaint or petition shall assert all grounds
 4360 for challenging the ballot title, each ballot summary embodied
 4361 in the joint resolution, and the full text of the proposed
 4362 amendment or revision. Any such grounds not asserted within 30
 4363 days after the joint resolution is filed with the Secretary of
 4364 State shall be deemed waived.

4365 2. If a court finds the ballot title, a ballot summary, or
 4366 the full text of a proposed amendment defective for purposes of
 4367 placement on the ballot, the court shall, in its written order
 4368 or judgment, describe each deficiency with specificity in order

4369 to facilitate the Attorney General's preparation of a revised
4370 ballot summary.

4371 (e) Legal actions challenging ballot language specified by
4372 a joint resolution proposing an amendment or revision to the
4373 State Constitution shall be accorded priority over other pending
4374 cases by the courts, including any appellate court, and the
4375 courts shall render decisions in such actions as expeditiously
4376 as possible.

4377 Section 79. The amendment of section 101.161, Florida
4378 Statutes, by this act applies retroactively to all joint
4379 resolutions adopted by the Legislature during the 2011 Regular
4380 Session, except that any legal action challenging a ballot title
4381 or ballot summary embodied in such joint resolution or
4382 challenging placement on the ballot of the full text of the
4383 proposed amendment or revision to the State Constitution as
4384 specified in such joint resolution must be commenced within 30
4385 days after the effective date of the amendment of section
4386 101.161, Florida Statutes, by this act or within 30 days after
4387 the joint resolution to which a challenge relates is filed with
4388 the Secretary of State, whichever occurs later.

4389 Section 80. Except as otherwise expressly provided in this
4390 act and except for this section, which shall take effect upon
4391 this act becoming a law, this act shall take effect July 1,
4392 2011.