



480914

LEGISLATIVE ACTION

Senate	.	House
Comm: PEND	.	
04/28/2011	.	
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	.	
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The Committee on Budget (Thrasher) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

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



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14 adopted by the Department of State.

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

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

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

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

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



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43 ~~distribution, upon request, to~~ each candidate who qualifies with  
44 the supervisor and ~~to~~ each clerk of elections have access to the  
45 pamphlet. The cost of making printing the pamphlets available  
46 shall be paid out of funds appropriated for conducting  
47 elections.

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

50 97.0575 Third-party voter registrations.—

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

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

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

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

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

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



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

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

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



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101 ~~forms.~~

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

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

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



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

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

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

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

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



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

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

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

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

185 (7) The requirements of this section are retroactive for  
186 any third-party voter registration organization registered with  
187 the department on July 1, 2011, and must be complied with within



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

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

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

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

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

204 97.071 Voter information card.—

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

208 (a) Voter's registration number.

209 (b) Date of registration.

210 (c) Full name.

211 (d) Party affiliation.

212 (e) Date of birth.

213 (f) Address of legal residence.

214 (g) Precinct number.

215 (h) Polling place address.

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





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217 supervisor.

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

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

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

228 Section 6. The supervisor must meet the requirements of  
229 section 5 of this act for any elector who registers to vote or  
230 who is issued a new voter information card pursuant to s.  
231 97.071(2) or (3), Florida Statutes, on or after August 1, 2012.

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

234 97.073 Disposition of voter registration applications;  
235 cancellation notice.-

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



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246 registration application signed by the applicant. A notice of  
247 denial must inform the applicant of the reason the application  
248 was denied.

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

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

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

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

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

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



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

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

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

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

296 (3) DECEASED PERSONS.—

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

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

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



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

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

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

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

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

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



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

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

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

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



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

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

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

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



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

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

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

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

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

417 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM  
418 INFORMATION.—

419 (a) Within 30 ~~45~~ days after certification by the Elections



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

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

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

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

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

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

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

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

448 (c) Within 45 ~~60~~ days after certification by the Elections





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

455 (d) File specifications are as follows:

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

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

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

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

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

467 e. Voted by absentee ballot.

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

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

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

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

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

477 b. Followed by four-character file type identifier of



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478 'VH03' followed by an underscore.

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

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

481 e. Date format is YYYYMMDD.

482 f. Followed by Time Created - HHMMSS.

483 g. Followed by ".txt".

484 4. Each record shall contain the following columns: Record

485 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote

486 Date, Vote History Code, Precinct, Congressional District, House

487 District, Senate District, County Commission District, and

488 School Board District.

489 (e) Each supervisor of elections shall reconcile, before

490 submission, the aggregate total of ballots cast in each precinct

491 as reported in the precinct-level election results to the

492 aggregate total number of voters with voter history for the

493 election for each district.

494 (f) Each supervisor of elections shall submit the results

495 of the data reconciliation as described in paragraph (e) to the

496 department in an electronic format and give a written

497 explanation for any precincts where the reconciliation as

498 described in paragraph (e) results in a discrepancy between the

499 voter history and the election results.

500 (2) (a) PRECINCT-LEVEL ELECTION RESULTS.—Within ~~25~~ 45 days

501 after the date of a presidential preference primary election, a

502 special election, primary election, or a general election, the

503 supervisors of elections shall collect and submit to the

504 department precinct-level election results for the election in a

505 uniform electronic format specified by paragraph (c) ~~the~~

506 ~~department~~. The precinct-level election results shall be



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

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

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

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

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

535 3. The data records shall include the following columns:



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

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

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

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

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

557 99.021 Form of candidate oath.—

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



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565 such candidate seeks to qualify and shall be substantially in  
566 the following form:

567  
568 State of Florida  
569 County of....

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

586 ... (Signature of candidate) ...  
587 ... (Address) ...

588  
589 Sworn to and subscribed before me this .... day of ....,  
590 ... (year)..., at .... County, Florida.

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

592  
593 2. Each candidate for federal office, whether a party



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594 candidate, a candidate with no party affiliation, or a write-in  
595 candidate, in order to qualify for nomination or election to  
596 office shall take and subscribe to an oath or affirmation in  
597 writing. A ~~printed~~ copy of the oath or affirmation shall be made  
598 available ~~furnished~~ to the candidate by the officer before whom  
599 such candidate seeks to qualify and shall be substantially in  
600 the following form:

601  
602 State of Florida  
603 County of ....

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

615 ... (Signature of candidate) ...  
616 ... (Address) ...

617  
618 Sworn to and subscribed before me this .... day of ....,  
619 ... (year) ..., at .... County, Florida.

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

621

622 (b) In addition, any person seeking to qualify for



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623 nomination as a candidate of any political party shall, at the  
624 time of subscribing to the oath or affirmation, state in  
625 writing:

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

627 2. That the person ~~is not a registered member of any other~~  
628 ~~political party and~~ has not been a registered member of  
629 candidate for nomination for any other political party in the  
630 calendar year leading up to the general election for a period of  
631 ~~6 months preceding the general election~~ for which the person  
632 seeks to qualify.

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

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

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

641 99.061 Method of qualifying for nomination or election to  
642 federal, state, county, or district office.—

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

650 (7)(a) In order for a candidate to be qualified, the  
651 following items must be received by the filing officer by the



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652 end of the qualifying period:

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

669 2. The candidate's oath required by s. 99.021, which must  
670 contain the name of the candidate as it is to appear on the  
671 ballot; the office sought, including the district or group  
672 number if applicable; and the signature of the candidate, which  
673 must be verified under oath or affirmation pursuant to s.  
674 92.525(1)(a) duly acknowledged.

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

677 ~~3.4.~~ If the office sought is partisan, the written  
678 statement of political party affiliation required by s.  
679 99.021(1)(b).

680 ~~4.5.~~ The completed form for the appointment of campaign





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681 treasurer and designation of campaign depository, as required by  
682 s. 106.021.

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

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

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

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



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

712 99.063 Candidates for Governor and Lieutenant Governor.—

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

716 (a) The candidate's oath required by s. 99.021, which must  
717 contain the name of the candidate as it is to appear on the  
718 ballot; the office sought; and the signature of the candidate,  
719 which must be verified under oath or affirmation pursuant to s.  
720 92.525(1)(a) duly acknowledged.

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

723 ~~(b)(e)~~ If the office sought is partisan, the written  
724 statement of political party affiliation required by s.  
725 99.021(1)(b).

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

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

733 99.092 Qualifying fee of candidate; notification of  
734 Department of State.—

735 (1) Each person seeking to qualify for nomination or  
736 election to any office, except a person seeking to qualify by  
737 the petition process pursuant to s. 99.095 and except a person  
738 seeking to qualify as a write-in candidate, shall pay a



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

767 Section 17. Subsection (1) of section 99.093, Florida



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768 Statutes, is amended to read:

769 99.093 Municipal candidates; election assessment.—

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

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

782 99.095 Petition process in lieu of a qualifying fee and  
783 party assessment.—

784 (2)

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

794 Section 19. Subsections (1), (3), and (5) of section  
795 99.097, Florida Statutes, are amended, and subsection (6) is  
796 added to that section, to read:



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797 99.097 Verification of signatures on petitions.-

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

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

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

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

820 (3) (a) If all other requirements for the petition are met,  
821 a signature on a petition shall be verified and counted as valid  
822 for a registered voter if, after comparing the signature on the  
823 petition and the signature of the registered voter in the voter  
824 registration system, the supervisor is able to determine that  
825 the petition signer is the same as the registered voter, even if



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

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

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

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



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855 ~~signatures~~ pursuant to subparagraph (1)(a)1. ~~paragraph (1)(a).~~  
856 In the event the court orders a complete check of the petition  
857 and the result is not changed as to the success or lack of  
858 success of the petitioner in obtaining the requisite number of  
859 valid signatures, then such candidate, unless the candidate has  
860 filed the oath stating that he or she is unable to pay such  
861 charges; announced opponent; representative of a designated  
862 political committee; or party, person, or organization  
863 submitting the petition, unless such person or organization has  
864 filed the oath stating inability to pay such charges, shall pay  
865 to the supervisor of elections of each affected county for the  
866 complete check an amount calculated at the rate of 10 cents for  
867 each additional signature checked or the actual cost of checking  
868 such additional signatures, whichever is less.

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

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



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884 Section 20. Section 100.061, Florida Statutes, is amended  
885 to read:

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

895 Section 21. Section 100.101, Florida Statutes, is amended  
896 to read:

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

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

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

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

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

910 Section 22. Section 100.111, Florida Statutes, is amended  
911 to read:

912 100.111 Filling vacancy.—





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913 (1) (a) If any vacancy occurs in any office which is  
914 required to be filled pursuant to s. 1(f), Art. IV of the State  
915 Constitution and the remainder of the term of such office is 28  
916 months or longer, then at the next general election a person  
917 shall be elected to fill the unexpired portion of such term,  
918 commencing on the first Tuesday after the first Monday following  
919 such general election.

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

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

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



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942 ~~99.061 for qualifying for state or county offices to be filled~~  
943 ~~by election.~~

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

953 ~~(2)~~<sup>(3)</sup> Whenever there is a vacancy for which a special  
954 election is required pursuant to s. 100.101, the Governor, after  
955 consultation with the Secretary of State, shall fix the dates of  
956 a special primary election and a special election. Nominees of  
957 political parties shall be chosen under the primary laws of this  
958 state in the special primary election to become candidates in  
959 the special election. Prior to setting the special election  
960 dates, the Governor shall consider any upcoming elections in the  
961 jurisdiction where the special election will be held. The dates  
962 fixed by the Governor shall be specific days certain and shall  
963 not be established by the happening of a condition or stated in  
964 the alternative. The dates fixed shall provide a minimum of 2  
965 weeks between each election. In the event a vacancy occurs in  
966 the office of state senator or member of the House of  
967 Representatives when the Legislature is in regular legislative  
968 session, the minimum times prescribed by this subsection may be  
969 waived upon concurrence of the Governor, the Speaker of the  
970 House of Representatives, and the President of the Senate. If a



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

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

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

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



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1000 seeking to qualify by the petition process in a special primary  
1001 election shall obtain 25 percent of the signatures required by  
1002 s. 99.095.

1003 (d) The qualifying fees and party assessments of such  
1004 candidates as may qualify shall be the same as collected for the  
1005 same office at the last previous primary for that office. The  
1006 party assessment shall be paid to the appropriate executive  
1007 committee of the political party to which the candidate belongs.

1008 (e) Each county canvassing board shall make as speedy a  
1009 return of the result of such special primary elections and  
1010 special elections as time will permit, and the Elections  
1011 Canvassing Commission likewise shall make as speedy a canvass  
1012 and declaration of the nominees as time will permit.

1013 (3)-(4)(a) In the event that death, resignation, withdrawal,  
1014 or removal, or any other cause or event should cause a party to  
1015 have a vacancy in nomination which leaves no candidate for an  
1016 office from such party, the filing officer before whom the  
1017 candidate qualified ~~Department of State~~ shall notify the chair  
1018 of the ~~appropriate state and, district, or~~ county political  
1019 party executive committee of such party; and:

1020 1. If the vacancy in nomination is for a statewide office,  
1021 the state party chair shall, within 5 days, ~~the chair shall~~ call  
1022 a meeting of his or her executive board ~~committee~~ to consider  
1023 designation of a nominee to fill the vacancy.

1024 2. If the vacancy in nomination is for the office of United  
1025 States Representative, state senator, state representative,  
1026 state attorney, or public defender, the state party chair shall  
1027 notify the appropriate county chair or chairs and, within 5  
1028 days, the appropriate county chair or chairs shall call a



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1029 meeting of the members of the executive committee in the  
1030 affected county or counties to consider designation of a nominee  
1031 to fill the vacancy.

1032 3. If the vacancy in nomination is for a county office, the  
1033 state party chair shall notify the appropriate county chair and,  
1034 within 5 days, the appropriate county chair shall call a meeting  
1035 of his or her executive committee to consider designation of a  
1036 nominee to fill the vacancy.

1037  
1038 The name of any person so designated shall be submitted to the  
1039 filing officer before whom the candidate qualified ~~Department of~~  
1040 ~~State~~ within 7 days after notice to the chair in order that the  
1041 person designated may have his or her name on the ballot of the  
1042 ensuing general election. If the name of the new nominee is  
1043 submitted after the certification of results of the preceding  
1044 primary election, however, the ballots shall not be changed and  
1045 the former party nominee's name will appear on the ballot. Any  
1046 ballots cast for the former party nominee will be counted for  
1047 the person designated by the political party to replace the  
1048 former party nominee. If there is no opposition to the party  
1049 nominee, the person designated by the political party to replace  
1050 the former party nominee will be elected to office at the  
1051 general election. ~~For purposes of this paragraph, the term~~  
1052 ~~"district political party executive committee" means the members~~  
1053 ~~of the state executive committee of a political party from those~~  
1054 ~~counties comprising the area involving a district office.~~

1055 (b) When, under the circumstances set forth in the  
1056 preceding paragraph, vacancies in nomination are required to be  
1057 filled by committee nominations, such vacancies shall be filled



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1058 by party rule. In any instance in which a nominee is selected by  
1059 a committee to fill a vacancy in nomination, such nominee shall  
1060 pay the same filing fee and take the same oath as the nominee  
1061 would have taken had he or she regularly qualified for election  
1062 to such office.

1063 (c) Any person who, at the close of qualifying as  
1064 prescribed in ss. 99.061 and 105.031, was qualified for  
1065 nomination or election to or retention in a public office to be  
1066 filled at the ensuing general election or who attempted to  
1067 qualify and failed to qualify is prohibited from qualifying as a  
1068 candidate to fill a vacancy in nomination for any other office  
1069 to be filled at that general election, even if such person has  
1070 withdrawn or been eliminated as a candidate for the original  
1071 office sought. However, this paragraph does not apply to a  
1072 candidate for the office of Lieutenant Governor who applies to  
1073 fill a vacancy in nomination for the office of Governor on the  
1074 same ticket or to a person who has withdrawn or been eliminated  
1075 as a candidate and who is subsequently designated as a candidate  
1076 for Lieutenant Governor under s. 99.063.

1077 (4) A vacancy in nomination is not created if an order of a  
1078 court that has become final determines that a nominee did not  
1079 properly qualify or did not meet the necessary qualifications to  
1080 hold the office for which he or she sought to qualify.

1081 (5) In the event of unforeseeable circumstances not  
1082 contemplated in these general election laws concerning the  
1083 calling and holding of special primary elections and special  
1084 elections resulting from court order or other unpredictable  
1085 circumstances, the Department of State shall have the authority  
1086 to provide for the conduct of orderly elections.



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1087 Section 23. Subsections (1), (3), (6), (7), and (8) of  
1088 section 100.371, Florida Statutes, are amended to read:

1089 100.371 Initiatives; procedure for placement on ballot.—

1090 (1) Constitutional amendments proposed by initiative shall  
1091 be placed on the ballot for the general election, provided the  
1092 initiative petition has been filed with the Secretary of State  
1093 no later than February 1 of the year the general election is  
1094 held. A petition shall be deemed to be filed with the Secretary  
1095 of State upon the date the secretary determines that valid and  
1096 verified petition forms have been signed by the constitutionally  
1097 required number and distribution of electors under this code,  
1098 ~~subject to the right of revocation established in this section.~~

1099 (3) An initiative petition form circulated for signature  
1100 may not be bundled with or attached to any other petition. Each  
1101 signature shall be dated when made and shall be valid for a  
1102 period of 2 4 years following such date, provided all other  
1103 requirements of law are met. The sponsor shall submit signed and  
1104 dated forms to the ~~appropriate~~ supervisor of elections for the  
1105 county of residence listed by the person signing the form for  
1106 verification of ~~as to~~ the number of ~~registered electors whose~~  
1107 valid signatures obtained appear thereon. If a signature on a  
1108 petition is from a registered voter in another county, the  
1109 supervisor shall notify the petition sponsor of the misfiled  
1110 petition. The supervisor shall promptly verify the signatures  
1111 within 30 days after ~~of~~ receipt of the petition forms and  
1112 payment of the fee required by s. 99.097. The supervisor shall  
1113 promptly record, in the manner prescribed by the Secretary of  
1114 State, the date each form is received by the supervisor, and the  
1115 date the signature on the form is verified as valid. The



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1116 supervisor may verify that the signature on a form is valid only  
1117 if:

1118 (a) The form contains the original signature of the  
1119 purported elector.

1120 (b) The purported elector has accurately recorded on the  
1121 form the date on which he or she signed the form.

1122 (c) The form ~~accurately~~ sets forth the purported elector's  
1123 name, ~~street~~ address, city, county, and voter registration  
1124 number or date of birth.

1125 (d) The purported elector is, at the time he or she signs  
1126 the form and at the time the form is verified, a duly qualified  
1127 and registered elector ~~authorized to vote in the state county in~~  
1128 ~~which his or her signature is submitted~~.

1129  
1130 The supervisor shall retain the signature forms for at least 1  
1131 year following the election in which the issue appeared on the  
1132 ballot or until the Division of Elections notifies the  
1133 supervisors of elections that the committee that ~~which~~  
1134 circulated the petition is no longer seeking to obtain ballot  
1135 position.

1136 ~~(6) (a) An elector's signature on a petition form may be~~  
1137 ~~revoked within 150 days of the date on which he or she signed~~  
1138 ~~the petition form by submitting to the appropriate supervisor of~~  
1139 ~~elections a signed petition revocation form.~~

1140 ~~(b) The petition revocation form and the manner in which~~  
1141 ~~signatures are obtained, submitted, and verified shall be~~  
1142 ~~subject to the same relevant requirements and timeframes as the~~  
1143 ~~corresponding petition form and processes under this code and~~  
1144 ~~shall be approved by the Secretary of State before any signature~~





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1145 ~~on a petition revocation form is obtained.~~

1146 ~~(c) In those circumstances in which a petition revocation~~  
1147 ~~form for a corresponding initiative petition has not been~~  
1148 ~~submitted and approved, an elector may complete and submit a~~  
1149 ~~standard petition revocation form directly to the supervisor of~~  
1150 ~~elections. All other requirements and processes apply for the~~  
1151 ~~submission and verification of the signatures as for initiative~~  
1152 ~~petitions.~~

1153 ~~(d) Supervisors of elections shall provide petition~~  
1154 ~~revocation forms to the public at all main and branch offices.~~

1155 ~~(e) The petition revocation form shall be filed with the~~  
1156 ~~supervisor of elections by February 1 preceding the next general~~  
1157 ~~election or, if the initiative amendment is not certified for~~  
1158 ~~ballot position in that election, by February 1 preceding the~~  
1159 ~~next successive general election. The supervisor of elections~~  
1160 ~~shall promptly verify the signature on the petition revocation~~  
1161 ~~form and process such revocation upon payment, in advance, of a~~  
1162 ~~fee of 10 cents or the actual cost of verifying such signature,~~  
1163 ~~whichever is less. The supervisor shall promptly record each~~  
1164 ~~valid and verified signature on a petition revocation form in~~  
1165 ~~the manner prescribed by the Secretary of State.~~

1166 ~~(f) The division shall adopt by rule the petition~~  
1167 ~~revocation forms to be used under this subsection.~~

1168 ~~(6)-(7)~~ The Department of State may adopt rules in  
1169 accordance with s. 120.54 to carry out the provisions of  
1170 subsections (1)-(5) ~~(1)-(6)~~.

1171 ~~(7)-(8)~~ No provision of this code shall be deemed to  
1172 prohibit a private person exercising lawful control over  
1173 privately owned property, including property held open to the



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1174 public for the purposes of a commercial enterprise, from  
1175 excluding from such property persons seeking to engage in  
1176 activity supporting or opposing initiative amendments.

1177 Section 24. Effective July 1, 2012, subsections (3) and (4)  
1178 of section 101.001, Florida Statutes, are amended to read:

1179 101.001 Precincts and polling places; boundaries.—

1180 (3) (a) Each supervisor of elections shall maintain a  
1181 suitable map drawn to a scale no smaller than 3 miles to the  
1182 inch and clearly delineating all major observable features such  
1183 as roads, streams, and railway lines and showing the current  
1184 geographical boundaries of each precinct, representative  
1185 district, and senatorial district, and other type of district in  
1186 the county subject to the elections process in this code.

1187 (b) The supervisor shall provide to the department data on  
1188 all precincts in the county associated with the most recent  
1189 decennial census blocks within each precinct.

1190 (c) The department shall maintain a searchable database  
1191 that contains the precincts and the corresponding most recent  
1192 decennial census blocks within the precincts for each county,  
1193 including a historical file that allows the census blocks to be  
1194 traced through the prior decade.

1195 (d) ~~(b)~~ The supervisor of elections shall notify the  
1196 Secretary of State in writing within 10 ~~30~~ days after any  
1197 reorganization of precincts and shall furnish a copy of the map  
1198 showing the current geographical boundaries and designation of  
1199 each new precinct. However, if precincts are composed of whole  
1200 census blocks, the supervisor may furnish, in lieu of a copy of  
1201 the map, a list, in an electronic format prescribed by the  
1202 Department of State, associating each census block in the county



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1203 with its precinct.

1204 ~~(e)~~ Any precinct established or altered under the  
1205 provisions of this section shall consist of areas bounded on all  
1206 sides only by census block boundaries from the most recent  
1207 United States Census. If the census block boundaries split or  
1208 conflict with another political boundary listed below, the  
1209 boundary listed below may be used:

1210 ~~1. Census block boundaries from the most recent United~~  
1211 ~~States Census;~~

1212 ~~1.2.~~ Governmental unit boundaries reported in the most  
1213 recent Boundary and Annexation Survey published by the United  
1214 States Census Bureau;

1215 ~~2.3.~~ Visible features that are readily distinguishable upon  
1216 the ground, such as streets, railroads, tracks, streams, and  
1217 lakes, and that are indicated upon current census maps, official  
1218 Department of Transportation maps, official municipal maps,  
1219 official county maps, or a combination of such maps;

1220 ~~3.4.~~ Boundaries of public parks, public school grounds, or  
1221 churches; or

1222 ~~4.5.~~ Boundaries of counties, incorporated municipalities,  
1223 or other political subdivisions that meet criteria established  
1224 by the United States Census Bureau for block boundaries.

1225 ~~(d) Until July 1, 2012, a supervisor may apply for and~~  
1226 ~~obtain from the Secretary of State a waiver of the requirement~~  
1227 ~~in paragraph (c).~~

1228 (4) (a) Within 10 days after there is any change in the  
1229 division, number, or boundaries of the precincts, or the  
1230 location of the polling places, the supervisor of elections  
1231 shall make in writing an accurate description of any new or



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1232 altered precincts, setting forth the boundary lines and shall  
1233 identify the location of each new or altered polling place. A  
1234 copy of the document describing such changes shall be posted at  
1235 the supervisor's office.

1236 (b) Any changes in the county precinct data shall be  
1237 provided to the department within 10 days after a change.

1238 (c) Precinct data shall include all precincts for which  
1239 precinct-level election results and voting history results are  
1240 reported.

1241 Section 25. Subsection (1) of section 101.043, Florida  
1242 Statutes, is amended to read:

1243 101.043 Identification required at polls.—

1244 (1) The precinct register, as prescribed in s. 98.461,  
1245 shall be used at the polls for the purpose of identifying the  
1246 elector at the polls prior to allowing him or her to vote. The  
1247 clerk or inspector shall require each elector, upon entering the  
1248 polling place, to present one of the following current and valid  
1249 picture identifications:

1250 (a) Florida driver's license.

1251 (b) Florida identification card issued by the Department of  
1252 Highway Safety and Motor Vehicles.

1253 (c) United States passport.

1254 (d) Debit or credit card.

1255 (e) Military identification.

1256 (f) Student identification.

1257 (g) Retirement center identification.

1258 (h) Neighborhood association identification.

1259 (i) Public assistance identification.

1260



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1261 If the picture identification does not contain the signature of  
1262 the elector ~~voter~~, an additional identification that provides  
1263 the elector's ~~voter's~~ signature shall be required. The address  
1264 appearing on the identification presented by the elector may not  
1265 be used as the basis to confirm an elector's legal residence or  
1266 otherwise challenge an elector's legal residence. The elector  
1267 shall sign his or her name in the space provided on the precinct  
1268 register or on an electronic device provided for recording the  
1269 elector's ~~voter's~~ signature. The clerk or inspector shall  
1270 compare the signature with that on the identification provided  
1271 by the elector and enter his or her initials in the space  
1272 provided on the precinct register or on an electronic device  
1273 provided for that purpose and allow the elector to vote if the  
1274 clerk or inspector is satisfied as to the identity of the  
1275 elector.

1276 Section 26. Section 101.045, Florida Statutes, is amended  
1277 to read:

1278 101.045 Electors must be registered in precinct; provisions  
1279 for change of residence or name.-

1280 (1) A ~~No~~ person is not ~~shall be~~ permitted to vote in any  
1281 election precinct or district other than the one in which the  
1282 person has his or her legal residence and in which the person is  
1283 registered. However, a person temporarily residing outside the  
1284 county shall be registered in the precinct in which the main  
1285 office of the supervisor, as designated by the supervisor, is  
1286 located when the person has no permanent address in the county  
1287 and it is the person's intention to remain a resident of Florida  
1288 and of the county in which he or she is registered to vote. Such  
1289 persons who are registered in the precinct in which the main



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1290 office of the supervisor, as designated by the supervisor, is  
1291 located and who are residing outside the county with no  
1292 permanent address in the county shall not be registered electors  
1293 of a municipality and therefore shall not be permitted to vote  
1294 in any municipal election.

1295 (2) (a) An elector who moves from the precinct in which the  
1296 elector is registered may be permitted to vote in the precinct  
1297 to which he or she has moved his or her legal residence, if the  
1298 change of residence is within the same county and the ~~provided~~  
1299 ~~such~~ elector completes an affirmation in substantially the  
1300 following form:

1301 Change of Legal Residence of Registered  
1302 Voter

1303 Under penalties for false swearing, I, ...(Name of voter)...,  
1304 swear (or affirm) that the former address of my legal residence  
1305 was ...(Address of legal residence)... in the municipality of  
1306 ....., in .... County, Florida, and I was registered to vote in  
1307 the .... precinct of .... County, Florida; that I have not voted  
1308 in the precinct of my former registration in this election; that  
1309 I now reside at ...(Address of legal residence)... in the  
1310 Municipality of ....., in .... County, Florida, and am therefore  
1311 eligible to vote in the .... precinct of .... County, Florida;  
1312 and I further swear (or affirm) that I am otherwise legally  
1313 registered and entitled to vote.

1314 ...(Signature of voter whose address of legal residence has  
1315 changed)...

1316 (b) An elector whose change of address is from outside the  
1317 county may not change his or her legal residence at the polling  
1318 place and vote a regular ballot; however, such elector is



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1319 entitled to vote a provisional ballot.

1320 (c)~~(b)~~ An elector whose name changes because of marriage or  
1321 other legal process may be permitted to vote, provided such  
1322 elector completes an affirmation in substantially the following  
1323 form:

1324 Change of Name of Registered  
1325 Voter

1326 Under penalties for false swearing, I, ... (New name of  
1327 voter) ..., swear (or affirm) that my name has been changed  
1328 because of marriage or other legal process. My former name and  
1329 address of legal residence appear on the registration records of  
1330 precinct .... as follows:

1331 Name.....  
1332 Address.....  
1333 Municipality.....  
1334 County.....  
1335 Florida, Zip.....

1336 My present name and address of legal residence are as follows:

1337 Name.....  
1338 Address.....  
1339 Municipality.....  
1340 County.....  
1341 Florida, Zip.....

1342 and I further swear (or affirm) that I am otherwise legally  
1343 registered and entitled to vote.

1344 ... (Signature of voter whose name has changed) ...

1345 (d)~~(e)~~ Instead of the affirmation contained in paragraph  
1346 (a) or paragraph (c) ~~(b)~~, an elector may complete a voter  
1347 registration application that indicates the change of name or



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1348 change of address of legal residence.

1349       (e)~~(d)~~ Such affirmation or application, when completed and  
1350 presented at the precinct in which such elector is entitled to  
1351 vote, and upon verification of the elector's registration, shall  
1352 entitle such elector to vote as provided in this subsection. If  
1353 the elector's eligibility to vote cannot be determined, he or  
1354 she shall be entitled to vote a provisional ballot, subject to  
1355 the requirements and procedures in s. 101.048. Upon receipt of  
1356 an affirmation or application certifying a change in address of  
1357 legal residence or name, the supervisor shall as soon as  
1358 practicable make the necessary changes in the statewide voter  
1359 registration system to indicate the change in address of legal  
1360 residence or name of such elector.

1361       Section 27. Subsection (2) of section 101.131, Florida  
1362 Statutes, is amended, and subsections (4) and (5) are added to  
1363 that section, to read:

1364       101.131 Watchers at polls.—

1365       (2) Each party, each political committee, and each  
1366 candidate requesting to have poll watchers shall designate, in  
1367 writing to the supervisors of elections, on a form prescribed by  
1368 the division, before ~~prior to~~ noon of the second Tuesday  
1369 preceding the election poll watchers for each polling room on  
1370 election day. Designations of poll watchers for early voting  
1371 areas shall be submitted in writing to the supervisor of  
1372 elections, on a form prescribed by the division, before noon at  
1373 least 14 days before early voting begins. The poll watchers for  
1374 ~~each~~ polling rooms ~~room~~ shall be approved by the supervisor of  
1375 elections on or before the Tuesday before the election. Poll  
1376 watchers for early voting areas shall be approved by the





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1377 supervisor of elections no later than 7 days before early voting  
1378 begins. The supervisor shall furnish to each election board a  
1379 list of the poll watchers designated and approved for such  
1380 polling rooms ~~room~~ or early voting areas ~~area~~. Designation of  
1381 poll watchers shall be made by the chair of the county executive  
1382 committee of a political party, the chair of a political  
1383 committee, or the candidate requesting to have poll watchers.

1384 (4) All poll watchers shall be allowed to enter and watch  
1385 polls in all polling rooms and early voting areas within the  
1386 county in which they have been designated if the number of poll  
1387 watchers at any particular polling place does not exceed the  
1388 number provided in this section.

1389 (5) The supervisor of elections shall provide to each  
1390 designated poll watcher, no later than 7 days before early  
1391 voting begins, a poll watcher identification badge that  
1392 identifies the poll watcher by name. Each poll watcher must wear  
1393 his or her identification badge while in the polling room or  
1394 early voting area.

1395 Section 28. Subsections (1), (2), and (3) of section  
1396 101.151, Florida Statutes, are amended to read:

1397 101.151 Specifications for ballots.—

1398 (1) (a) Marksense ballots shall be printed on paper of such  
1399 thickness that the printing cannot be distinguished from the  
1400 back and shall meet the specifications of the voting system that  
1401 will be used to tabulate the ballots.

1402 (b) Early voting sites may employ a ballot-on-demand  
1403 production system to print individual marksense ballots,  
1404 including provisional ballots, for eligible electors pursuant to  
1405 s. 101.657. Ballot-on-demand technology may be used to produce



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1406 marksense absentee and election-day ballots. ~~Not later than 30~~  
1407 ~~days before an election, the Secretary of State may also~~  
1408 ~~authorize in writing the use of ballot on-demand technology for~~  
1409 ~~the production of election-day ballots.~~

1410 (2) (a) The ballot shall have the following office titles  
1411 ~~headings~~ under which shall appear ~~the names of the offices and~~  
1412 the names of the candidates for the respective offices in the  
1413 following order:

1414 1. The office titles of heading "President and Vice  
1415 President" and thereunder the names of the candidates for  
1416 President and Vice President of the United States nominated by  
1417 the political party that received the highest vote for Governor  
1418 in the last general election of the Governor in this state. Then  
1419 shall appear the names of other candidates for President and  
1420 Vice President of the United States who have been properly  
1421 nominated.

1422 2. The office titles ~~Then shall follow the heading~~  
1423 ~~"Congressional" and thereunder the offices of United States~~  
1424 ~~Senator and Representative in Congress.~~

1425 3. The office titles ~~then the heading "State" and~~  
1426 ~~thereunder the offices of Governor and Lieutenant Governor;~~  
1427 ~~Attorney General;~~ Chief Financial Officer;~~;~~ Commissioner of  
1428 Agriculture;~~;~~ State Attorney, with the applicable judicial  
1429 circuit; and Public Defender, with the applicable judicial  
1430 circuit.

1431 4. ~~together with the names of the candidates for each~~  
1432 ~~office and the title of the office which they seek; then the~~  
1433 ~~heading "Legislative" and thereunder~~ The office titles ~~offices~~  
1434 of State Senator and State Representative, with the applicable



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1435 district for the office printed beneath.; ~~then the heading~~  
1436 ~~"County" and thereunder~~

1437 5. The office titles of Clerk of the Circuit Court, or  
1438 Clerk of the Circuit Court and Comptroller (whichever is  
1439 applicable and when authorized by law), Clerk of the County  
1440 Court (when authorized by law), Sheriff, Property Appraiser, Tax  
1441 Collector, District Superintendent of Schools, and Supervisor of  
1442 Elections.

1443 6. The office titles ~~Thereafter follows: members of the~~  
1444 ~~Board of County Commissioners,~~ with the applicable district  
1445 printed beneath each office, and such other county and district  
1446 offices as are involved in the election, in the order fixed by  
1447 the Department of State, followed, in the year of their  
1448 election, by "Party Offices," and thereunder the offices of  
1449 state and county party executive committee members.

1450 (b) In a general election, in addition to the names printed  
1451 on the ballot, a blank space shall be provided under each  
1452 ~~heading for an~~ office for which a write-in candidate has  
1453 qualified. With respect to write-in candidates, if two or more  
1454 candidates are seeking election to one office, only one blank  
1455 space shall be provided.

1456 (c) ~~(b)~~ When more than one candidate is nominated for  
1457 office, the candidates for such office shall qualify and run in  
1458 a group or district, and the group or district number shall be  
1459 printed beneath the name of the office. Each nominee of a  
1460 political party chosen in a primary shall appear on the general  
1461 election ballot in the same numbered group or district as on the  
1462 primary election ballot.

1463 (d) ~~(c)~~ If in any election all the offices as set forth in



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1464 paragraph (a) are not involved, those offices not to be filled  
1465 shall be omitted and the remaining offices shall be arranged on  
1466 the ballot in the order named.

1467 (3) (a) The names of the candidates of the party that  
1468 received the highest number of votes for Governor in the last  
1469 election in which a Governor was elected shall be placed first  
1470 ~~under the heading~~ for each office on the general election  
1471 ballot, together with an appropriate abbreviation of the party  
1472 name; the names of the candidates of the party that received the  
1473 second highest vote for Governor shall be placed second ~~under~~  
1474 ~~the heading~~ for each office, together with an appropriate  
1475 abbreviation of the party name.

1476 (b) Minor political party candidates ~~and candidates with no~~  
1477 ~~party affiliation~~ shall have their names appear on the general  
1478 election ballot following the names of recognized political  
1479 parties, in the same order as they were qualified, certified  
1480 followed by the names of candidates with no party affiliation,  
1481 in the order as they were qualified.

1482 Section 29. Subsection (2) of section 101.161, Florida  
1483 Statutes, is amended to read:

1484 101.161 Referenda; ballots.—

1485 (2) (a) The substance and ballot title of a constitutional  
1486 amendment proposed by initiative shall be prepared by the  
1487 sponsor and approved by the Secretary of State in accordance  
1488 with rules adopted pursuant to s. 120.54. The Department of  
1489 State shall give each proposed constitutional amendment a  
1490 designating number for convenient reference. This number  
1491 designation shall appear on the ballot. Designating numbers  
1492 shall be assigned in the order of filing or certification and in



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1493 accordance with rules adopted by the Department of State. The  
1494 Department of State shall furnish the designating number, the  
1495 ballot title, and the substance of each amendment to the  
1496 supervisor of elections of each county in which such amendment  
1497 is to be voted on.

1498 (b) Any action for a judicial determination that the ballot  
1499 title or substance embodied in a joint resolution is inaccurate,  
1500 misleading, or otherwise defective must be commenced within 30  
1501 days after the joint resolution is filed with the Secretary of  
1502 State or at least 150 days before the election at which the  
1503 amendment will appear on the ballot, whichever occurs later. The  
1504 court, including any appellate court, shall accord the case  
1505 priority over other pending cases and render a decision as  
1506 expeditiously as possible. If the court determines that the  
1507 ballot title or substance embodied in the joint resolution is  
1508 defective and further appeals are declined, abandoned, or  
1509 exhausted, the Attorney General shall promptly prepare a revised  
1510 ballot title and substance that correct the deficiencies  
1511 identified by the court, and the Department of State shall  
1512 furnish a designating number and the revised ballot title and  
1513 substance to the supervisors of elections for placement on the  
1514 ballot. A defect in the ballot title or substance embodied in  
1515 the joint resolution is not grounds to remove the proposed  
1516 amendment from the ballot.

1517 Section 30. Paragraph (a) of subsection (2) of section  
1518 101.5605, Florida Statutes, is amended to read:

1519 101.5605 Examination and approval of equipment.—

1520 (2) (a) Any person owning or interested in an electronic or  
1521 electromechanical voting system may submit it to the Department



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1522 of State for examination. The vote counting segment shall be  
1523 certified after a satisfactory evaluation testing has been  
1524 performed according to the standards adopted under s. 101.015(1)  
1525 ~~electronic industry standards~~. This testing shall include, but  
1526 is not limited to, testing of all software required for the  
1527 voting system's operation; the ballot reader; the rote  
1528 processor, especially in its logic and memory components; the  
1529 digital printer; the fail-safe operations; the counting center  
1530 environmental requirements; and the equipment reliability  
1531 estimate. For the purpose of assisting in examining the system,  
1532 the department shall employ or contract for services of at least  
1533 one individual who is expert in one or more fields of data  
1534 processing, mechanical engineering, and public administration  
1535 and shall require from the individual a written report of his or  
1536 her examination.

1537 Section 31. Subsection (11) of section 101.5606, Florida  
1538 Statutes, is amended to read

1539 101.5606 Requirements for approval of systems.—No  
1540 electronic or electromechanical voting system shall be approved  
1541 by the Department of State unless it is so constructed that:

1542 (11) It is capable of automatically producing precinct  
1543 totals in printed, ~~marked, or punched form, or a combination~~  
1544 ~~thereof~~.

1545 Section 32. Paragraph (a) of subsection (4) of section  
1546 101.5612, Florida Statutes, is amended to read:

1547 101.5612 Testing of tabulating equipment.—

1548 (4) (a) 1. For electronic or electromechanical voting systems  
1549 configured to include electronic or electromechanical tabulation  
1550 devices which are distributed to the precincts, all or a sample



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1551 of the devices to be used in the election shall be publicly  
1552 tested. If a sample is to be tested, the sample shall consist of  
1553 a random selection of at least 5 percent or 10 of the devices  
1554 for an optical scan system ~~or 2 percent of the devices for a~~  
1555 ~~touchscreen system or 10 of the devices for either system, as~~  
1556 ~~applicable~~, whichever is greater. For touchscreen systems used  
1557 for voters having a disability, a sample of at least 2 percent  
1558 of the devices must be tested. The test shall be conducted by  
1559 processing a group of ballots, causing the device to output  
1560 results for the ballots processed, and comparing the output of  
1561 results to the results expected for the ballots processed. The  
1562 group of ballots shall be produced so as to record a  
1563 predetermined number of valid votes for each candidate and on  
1564 each measure and to include for each office one or more ballots  
1565 which have activated voting positions in excess of the number  
1566 allowed by law in order to test the ability of the tabulating  
1567 device to reject such votes.

1568         2. If any tested tabulating device is found to have an  
1569 error in tabulation, it shall be deemed unsatisfactory. For each  
1570 device deemed unsatisfactory, the canvassing board shall take  
1571 steps to determine the cause of the error, shall attempt to  
1572 identify and test other devices that could reasonably be  
1573 expected to have the same error, and shall test a number of  
1574 additional devices sufficient to determine that all devices are  
1575 satisfactory. Upon deeming any device unsatisfactory, the  
1576 canvassing board may require all devices to be tested or may  
1577 declare that all devices are unsatisfactory.

1578         3. If the operation or output of any tested tabulation  
1579 device, such as spelling or the order of candidates on a report,



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1580 is in error, such problem shall be reported to the canvassing  
1581 board. The canvassing board shall then determine if the reported  
1582 problem warrants its deeming the device unsatisfactory.

1583 Section 33. Subsection (4) of section 101.5614, Florida  
1584 Statutes, is amended to read:

1585 101.5614 Canvass of returns.—

1586 ~~(4) If ballot cards are used, and separate write-in ballots~~  
1587 ~~or envelopes for casting write-in votes are used, write-in~~  
1588 ~~ballots or the envelopes on which write-in ballots have been~~  
1589 ~~cast shall be serially numbered, starting with the number one,~~  
1590 ~~and the same number shall be placed on the ballot card of the~~  
1591 ~~voter. This process may be completed at either the precinct by~~  
1592 ~~the election board or at the central counting location. For each~~  
1593 ~~ballot or ballot image and ballot envelope on which write-in~~  
1594 ~~votes have been cast, the canvassing board shall compare the~~  
1595 ~~write-in votes with the votes cast on the ballot card; if the~~  
1596 ~~total number of votes for any office exceeds the number allowed~~  
1597 ~~by law, a notation to that effect, specifying the office~~  
1598 ~~involved, shall be entered on the back of the ballot card or in~~  
1599 ~~a margin if voting areas are printed on both sides of the ballot~~  
1600 ~~card.~~ such votes shall not be counted. All valid votes shall be  
1601 tallied by the canvassing board.

1602 Section 34. Subsection (6) is added to section 101.591,  
1603 Florida Statutes, to read:

1604 101.591 Voting system audit.—

1605 (6) If a manual recount is undertaken pursuant to s.  
1606 102.166, the canvassing board is not required to perform the  
1607 audit provided for in this section.

1608 Section 35. Paragraphs (a) and (b) of subsection (1) and





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1609 subsections (3) and (4) of section 101.62, Florida Statutes, are  
1610 amended to read:

1611 101.62 Request for absentee ballots.—

1612 (1) (a) The supervisor shall accept a request for an  
1613 absentee ballot from an elector in person or in writing. One  
1614 request shall be deemed sufficient to receive an absentee ballot  
1615 for all elections through the end of the calendar year of the  
1616 second ensuing ~~next~~ regularly scheduled general election, unless  
1617 the elector or the elector's designee indicates at the time the  
1618 request is made the elections for which the elector desires to  
1619 receive an absentee ballot. Such request may be considered  
1620 canceled when any first-class mail sent by the supervisor to the  
1621 elector is returned as undeliverable.

1622 (b) The supervisor may accept a written or telephonic  
1623 request for an absentee ballot from the elector, or, if directly  
1624 instructed by the elector, a member of the elector's immediate  
1625 family, or the elector's legal guardian. For purposes of this  
1626 section, the term "immediate family" has the same meaning as  
1627 specified in paragraph (4) (c) ~~(4) (b)~~. The person making the  
1628 request must disclose:

- 1629 1. The name of the elector for whom the ballot is  
1630 requested.
- 1631 2. The elector's address.
- 1632 3. The elector's date of birth.
- 1633 4. The requester's name.
- 1634 5. The requester's address.
- 1635 6. The requester's driver's license number, if available.
- 1636 7. The requester's relationship to the elector.
- 1637 8. The requester's signature (written requests only).



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1638 (3) For each request for an absentee ballot received, the  
1639 supervisor shall record the date the request was made, the date  
1640 the absentee ballot was delivered to the voter or the voter's  
1641 designee or the date the absentee ballot was delivered to the  
1642 post office or other carrier, the date the ballot was received  
1643 by the supervisor, and such other information he or she may deem  
1644 necessary. This information shall be provided in electronic  
1645 format as provided by rule adopted by the division. The  
1646 information shall be updated and made available no later than 8  
1647 a.m. noon of each day, including weekends, beginning 60 days  
1648 before the primary until 15 days after the general election and  
1649 shall be contemporaneously provided to the division. This  
1650 information shall be confidential and exempt from the provisions  
1651 of s. 119.07(1) and shall be made available to or reproduced  
1652 only for the voter requesting the ballot, a canvassing board, an  
1653 election official, a political party or official thereof, a  
1654 candidate who has filed qualification papers and is opposed in  
1655 an upcoming election, and registered political committees or  
1656 registered committees of continuous existence, for political  
1657 purposes only.

1658 (4) (a) No later than 45 days before each presidential  
1659 preference primary election, primary election, and general  
1660 election, the supervisor of elections shall send an absentee  
1661 ballot as provided in subparagraph (c)2. ~~(b)2.~~ to each absent  
1662 uniformed services voter and to each overseas voter who has  
1663 requested an absentee ballot.

1664 (b) The supervisor of elections shall mail an absentee  
1665 ballot to each absent qualified voter, other than those listed  
1666 in paragraph (a), who has requested such a ballot, between the



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1667 35th and 28th days before the presidential preference primary  
1668 election, primary election, and general election. Except as  
1669 otherwise provided in subsection (2) and after the period  
1670 described in this paragraph, the supervisor shall mail absentee  
1671 ballots within 2 business days after receiving a request for  
1672 such a ballot.

1673 ~~(c)(b)~~ The supervisor shall provide an absentee ballot to  
1674 each elector by whom a request for that ballot has been made by  
1675 one of the following means:

1676 1. By nonforwardable, return-if-undeliverable mail to the  
1677 elector's current mailing address on file with the supervisor  
1678 ~~or, unless the elector specifies in the request that:~~

1679 ~~a. The elector is absent from the county and does not plan~~  
1680 ~~to return before the day of the election;~~

1681 ~~b. The elector is temporarily unable to occupy the~~  
1682 ~~residence because of hurricane, tornado, flood, fire, or other~~  
1683 ~~emergency or natural disaster; or~~

1684 ~~e. The elector is in a hospital, assisted living facility,~~  
1685 ~~nursing home, short term medical or rehabilitation facility, or~~  
1686 ~~correctional facility,~~

1687  
1688 ~~in which case the supervisor shall mail the ballot by~~  
1689 ~~nonforwardable, return-if-undeliverable mail to any other~~  
1690 ~~address the elector specifies in the request.~~

1691 2. By forwardable mail, e-mail, or facsimile machine  
1692 transmission to absent uniformed services voters and overseas  
1693 voters. The absent uniformed services voter or overseas voter  
1694 may designate in the absentee ballot request the preferred  
1695 method of transmission. If the voter does not designate the



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1696 method of transmission, the absentee ballot shall be mailed.  
1697       3. By personal delivery before 7 p.m. on election day to  
1698 the elector, upon presentation of the identification required in  
1699 s. 101.043.

1700       4. By delivery to a designee on election day or up to 5  
1701 days prior to the day of an election. Any elector may designate  
1702 in writing a person to pick up the ballot for the elector;  
1703 however, the person designated may not pick up more than two  
1704 absentee ballots per election, other than the designee's own  
1705 ballot, except that additional ballots may be picked up for  
1706 members of the designee's immediate family. For purposes of this  
1707 section, "immediate family" means the designee's spouse or the  
1708 parent, child, grandparent, or sibling of the designee or of the  
1709 designee's spouse. The designee shall provide to the supervisor  
1710 the written authorization by the elector and a picture  
1711 identification of the designee and must complete an affidavit.  
1712 The designee shall state in the affidavit that the designee is  
1713 authorized by the elector to pick up that ballot and shall  
1714 indicate if the elector is a member of the designee's immediate  
1715 family and, if so, the relationship. The department shall  
1716 prescribe the form of the affidavit. If the supervisor is  
1717 satisfied that the designee is authorized to pick up the ballot  
1718 and that the signature of the elector on the written  
1719 authorization matches the signature of the elector on file, the  
1720 supervisor shall give the ballot to that designee for delivery  
1721 to the elector.

1722       Section 36. Section 101.65, Florida Statutes, is amended to  
1723 read:

1724       101.65 Instructions to absent electors.—The supervisor



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1725 shall enclose with each absentee ballot separate printed  
1726 instructions in substantially the following form:

1727

1728 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1729 1. VERY IMPORTANT. In order to ensure that your absentee  
1730 ballot will be counted, it should be completed and returned as  
1731 soon as possible so that it can reach the supervisor of  
1732 elections of the county in which your precinct is located no  
1733 later than 7 p.m. on the day of the election.

1734 2. Mark your ballot in secret as instructed on the ballot.  
1735 You must mark your own ballot unless you are unable to do so  
1736 because of blindness, disability, or inability to read or write.

1737 3. Mark only the number of candidates or issue choices for  
1738 a race as indicated on the ballot. If you are allowed to "Vote  
1739 for One" candidate and you vote for more than one candidate,  
1740 your vote in that race will not be counted.

1741 4. Place your marked ballot in the enclosed secrecy  
1742 envelope.

1743 5. Insert the secrecy envelope into the enclosed mailing  
1744 envelope which is addressed to the supervisor.

1745 6. Seal the mailing envelope and completely fill out the  
1746 Voter's Certificate on the back of the mailing envelope.

1747 7. VERY IMPORTANT. In order for your absentee ballot to be  
1748 counted, you must sign your name on the line above (Voter's  
1749 Signature). An absentee ballot will be considered illegal and  
1750 not be counted if the signature on the voter's certificate does  
1751 not match the signature on record. The signature on file at the  
1752 start of the canvass of the absentee ballots is the signature  
1753 that will be used to verify your signature on the voter's



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1754 certificate. If you need to update your signature for this  
1755 election, send your signature update on a voter registration  
1756 application to your supervisor of elections so that it is  
1757 received no later than the start of the canvassing of absentee  
1758 ballots, which occurs no earlier than the 15th day before  
1759 election day.

1760 8. VERY IMPORTANT. If you are an overseas voter, you must  
1761 include the date you signed the Voter's Certificate on the line  
1762 above (Date) or your ballot may not be counted.

1763 9. Mail, deliver, or have delivered the completed mailing  
1764 envelope. Be sure there is sufficient postage if mailed.

1765 10. FELONY NOTICE. It is a felony under Florida law to  
1766 accept any gift, payment, or gratuity in exchange for your vote  
1767 for a candidate. It is also a felony under Florida law to vote  
1768 in an election using a false identity or false address, or under  
1769 any other circumstances making your ballot false or fraudulent.

1770 Section 37. Subsection (1) of section 101.657, Florida  
1771 Statutes, is amended to read:

1772 101.657 Early voting.-

1773 (1) (a) As a convenience to the voter, the supervisor of  
1774 elections shall allow an elector to vote early in the main or  
1775 branch office of the supervisor. The supervisor shall mark,  
1776 code, indicate on, or otherwise track the voter's precinct for  
1777 each early voted ballot. In order for a branch office to be used  
1778 for early voting, it shall be a permanent facility of the  
1779 supervisor and shall have been designated and used as such for  
1780 at least 1 year prior to the election. The supervisor may also  
1781 designate any city hall or permanent public library facility as  
1782 early voting sites; however, if so designated, the sites must be



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1783 geographically located so as to provide all voters in the county  
1784 an equal opportunity to cast a ballot, insofar as is  
1785 practicable. The results or tabulation of votes cast during  
1786 early voting may not be made before the close of the polls on  
1787 election day. Results shall be reported by precinct.

1788 (b) The supervisor shall designate each early voting site  
1789 by no later than the 30th day prior to an election and shall  
1790 designate an early voting area, as defined in s. 97.021, at each  
1791 early voting site.

1792 (c) All early voting sites in a county shall be open on the  
1793 same days for the same amount of time and shall allow any person  
1794 in line at the closing of an early voting site to vote.

1795 (d) Early voting shall begin on the 7th ~~15th~~ day before an  
1796 election which contains state or federal races and end on the  
1797 2nd day before the ~~an~~ election and. ~~For purposes of a special~~  
1798 ~~election held pursuant to s. 100.101, early voting shall begin~~  
1799 ~~on the 8th day before an election and end on the 2nd day before~~  
1800 ~~an election. Early voting shall be provided for 8 hours per~~  
1801 ~~weekday and 8 hours in the aggregate each weekend at each site~~  
1802 ~~during the applicable periods. The supervisor of elections may~~  
1803 provide early voting for elections that are not held in  
1804 conjunction with a state or federal election. However, the  
1805 supervisor has the discretion to determine the hours of  
1806 operation of early voting sites in those elections. ~~Early voting~~  
1807 ~~sites shall open no sooner than 7 a.m. and close no later than 7~~  
1808 ~~p.m. on each applicable day.~~

1809 (e) Notwithstanding the requirements of s. 100.3605,  
1810 municipalities may provide early voting in municipal elections  
1811 that are not held in conjunction with county or state elections.



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1812 If a municipality provides early voting, it may designate as  
1813 many sites as necessary and shall conduct its activities in  
1814 accordance with the provisions of paragraphs (a)-(c). The  
1815 supervisor is not required to conduct early voting if it is  
1816 provided pursuant to this subsection.

1817 (f) Notwithstanding the requirements of s. 189.405, special  
1818 districts may provide early voting in any district election not  
1819 held in conjunction with county or state elections. If a special  
1820 district provides early voting, it may designate as many sites  
1821 as necessary and shall conduct its activities in accordance with  
1822 the provisions of paragraphs (a)-(c). The supervisor is not  
1823 required to conduct early voting if it is provided pursuant to  
1824 this subsection.

1825 Section 38. Paragraph (a) of subsection (2) of section  
1826 101.68, Florida Statutes, is amended to read:

1827 101.68 Canvassing of absentee ballot.-

1828 (2) (a) The county canvassing board may begin the canvassing  
1829 of absentee ballots at 7 a.m. on the 15th ~~sixth~~ day before the  
1830 election, but not later than noon on the day following the  
1831 election. In addition, for any county using electronic  
1832 tabulating equipment, the processing of absentee ballots through  
1833 such tabulating equipment may begin at 7 a.m. on the 15th ~~sixth~~  
1834 day before the election. However, notwithstanding any such  
1835 authorization to begin canvassing or otherwise processing  
1836 absentee ballots early, no result shall be released until after  
1837 the closing of the polls in that county on election day. Any  
1838 supervisor of elections, deputy supervisor of elections,  
1839 canvassing board member, election board member, or election  
1840 employee who releases the results of a canvassing or processing





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1841 of absentee ballots prior to the closing of the polls in that  
1842 county on election day commits a felony of the third degree,  
1843 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1844 Section 39. Subsection (2) of section 101.6923, Florida  
1845 Statutes, is amended to read:

1846 101.6923 Special absentee ballot instructions for certain  
1847 first-time voters.-

1848 (2) A voter covered by this section shall be provided with  
1849 printed instructions with his or her absentee ballot in  
1850 substantially the following form:

1851  
1852 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.  
1853 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT  
1854 TO COUNT.

1855  
1856 1. In order to ensure that your absentee ballot will be  
1857 counted, it should be completed and returned as soon as possible  
1858 so that it can reach the supervisor of elections of the county  
1859 in which your precinct is located no later than 7 p.m. on the  
1860 date of the election.

1861 2. Mark your ballot in secret as instructed on the ballot.  
1862 You must mark your own ballot unless you are unable to do so  
1863 because of blindness, disability, or inability to read or write.

1864 3. Mark only the number of candidates or issue choices for  
1865 a race as indicated on the ballot. If you are allowed to "Vote  
1866 for One" candidate and you vote for more than one, your vote in  
1867 that race will not be counted.

1868 4. Place your marked ballot in the enclosed secrecy  
1869 envelope and seal the envelope.



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1870           5. Insert the secrecy envelope into the enclosed envelope  
1871 bearing the Voter's Certificate. Seal the envelope and  
1872 completely fill out the Voter's Certificate on the back of the  
1873 envelope.

1874           a. You must sign your name on the line above (Voter's  
1875 Signature).

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

1879           c. An absentee ballot will be considered illegal and will  
1880 not be counted if the signature on the Voter's Certificate does  
1881 not match the signature on record. The signature on file at the  
1882 start of the canvass of the absentee ballots is the signature  
1883 that will be used to verify your signature on the Voter's  
1884 Certificate. If you need to update your signature for this  
1885 election, send your signature update on a voter registration  
1886 application to your supervisor of elections so that it is  
1887 received no later than the start of canvassing of absentee  
1888 ballots, which occurs no earlier than the 15th day before  
1889 election day.

1890           6. Unless you meet one of the exemptions in Item 7., you  
1891 must make a copy of one of the following forms of  
1892 identification:

1893           a. Identification which must include your name and  
1894 photograph: United States passport; debit or credit card;  
1895 military identification; student identification; retirement  
1896 center identification; neighborhood association identification;  
1897 or public assistance identification; or

1898           b. Identification which shows your name and current



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1899 residence address: current utility bill, bank statement,  
1900 government check, paycheck, or government document (excluding  
1901 voter identification card).

1902 7. The identification requirements of Item 6. do not apply  
1903 if you meet one of the following requirements:

1904 a. You are 65 years of age or older.

1905 b. You have a temporary or permanent physical disability.

1906 c. You are a member of a uniformed service on active duty  
1907 who, by reason of such active duty, will be absent from the  
1908 county on election day.

1909 d. You are a member of the Merchant Marine who, by reason  
1910 of service in the Merchant Marine, will be absent from the  
1911 county on election day.

1912 e. You are the spouse or dependent of a member referred to  
1913 in paragraph c. or paragraph d. who, by reason of the active  
1914 duty or service of the member, will be absent from the county on  
1915 election day.

1916 f. You are currently residing outside the United States.

1917 8. Place the envelope bearing the Voter's Certificate into  
1918 the mailing envelope addressed to the supervisor. Insert a copy  
1919 of your identification in the mailing envelope. DO NOT PUT YOUR  
1920 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
1921 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
1922 BALLOT WILL NOT COUNT.

1923 9. Mail, deliver, or have delivered the completed mailing  
1924 envelope. Be sure there is sufficient postage if mailed.

1925 10. FELONY NOTICE. It is a felony under Florida law to  
1926 accept any gift, payment, or gratuity in exchange for your vote  
1927 for a candidate. It is also a felony under Florida law to vote



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1928 in an election using a false identity or false address, or under  
1929 any other circumstances making your ballot false or fraudulent.

1930 Section 40. Subsection (3) of section 101.75, Florida  
1931 Statutes, is amended to read:

1932 101.75 Municipal elections; change of dates for cause.—

1933 (3) Notwithstanding any provision of local law or municipal  
1934 charter, the governing body of a municipality may, by ordinance,  
1935 move the date of any municipal election to a date concurrent  
1936 with any statewide or countywide election. The dates for  
1937 qualifying for the election moved by the passage of such  
1938 ordinance shall be specifically provided for in the ordinance  
1939 ~~and shall run for no less than 14 days.~~ The term of office for  
1940 any elected municipal official shall commence as provided by the  
1941 relevant municipal charter or ordinance.

1942 Section 41. Subsection (4) of section 102.141, Florida  
1943 Statutes, is amended to read:

1944 102.141 County canvassing board; duties.—

1945 (4) The canvassing board shall report all early voting and  
1946 all tabulated absentee results to the Department of State within  
1947 30 minutes after the polls close. Thereafter, the canvassing  
1948 board shall report, with the exception of provisional ballot  
1949 results, updated precinct election results to the department at  
1950 least every 45 minutes until all results are completely  
1951 reported. The supervisor of elections shall notify the  
1952 department immediately of any circumstances that do not permit  
1953 periodic updates as required. Results shall be submitted in a  
1954 format prescribed by the department ~~submit by 11:59 p.m. on~~  
1955 ~~election night the preliminary returns it has received to the~~  
1956 ~~Department of State in a format provided by the department.~~



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1957           Section 42. Subsection (4) of section 102.168, Florida  
1958 Statutes, is amended, and subsection (8) is added to that  
1959 section, to read:

1960           102.168 Contest of election.—

1961           (4) The ~~county~~ canvassing board responsible for canvassing  
1962 the election is an indispensable ~~and proper~~ party defendant in  
1963 county and local elections. ~~+~~ The Elections Canvassing Commission  
1964 is an indispensable ~~and proper~~ party defendant in federal,  
1965 state, and multicounty elections and in elections for justice of  
1966 the Supreme Court, judge of a district court of appeal, and  
1967 judge of a circuit court. races; and The successful candidate is  
1968 an indispensable party to any action brought to contest the  
1969 election or nomination of a candidate.

1970           (8) In any contest that requires a review of the canvassing  
1971 board's decision on the legality of an absentee ballot pursuant  
1972 to s. 101.68 based upon a comparison of the signature on the  
1973 voter's certificate and the signature of the elector in the  
1974 registration records, the circuit court may not review or  
1975 consider any evidence other than the signatures on the voter's  
1976 certificate and the signature of the elector in the registration  
1977 records. The court's review of such issue shall be to determine  
1978 only if the canvassing board abused its discretion in making its  
1979 decision.

1980           Section 43. Subsection (4) of section 103.021, Florida  
1981 Statutes, is amended to read:

1982           103.021 Nomination for presidential electors.—Candidates  
1983 for presidential electors shall be nominated in the following  
1984 manner:

1985           (4) (a) A minor political party that is affiliated with a



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1986 national party holding a national convention to nominate  
1987 candidates for President and Vice President of the United States  
1988 may have the names of its candidates for President and Vice  
1989 President of the United States printed on the general election  
1990 ballot by filing with the Department of State a certificate  
1991 naming the candidates for President and Vice President and  
1992 listing the required number of persons to serve as electors.  
1993 Notification to the Department of State under this subsection  
1994 shall be made by September 1 of the year in which the election  
1995 is held. When the Department of State has been so notified, it  
1996 shall order the names of the candidates nominated by the minor  
1997 political party to be included on the ballot and shall permit  
1998 the required number of persons to be certified as electors in  
1999 the same manner as other party candidates. As used in this  
2000 section, the term "national party" means a political party that  
2001 is registered with and recognized as a qualified national  
2002 committee of a political party by the Federal Election  
2003 Commission established and admitted to the ballot in at least  
2004 one state other than Florida.

2005 (b) A minor political party that is not affiliated with a  
2006 national party holding a national convention to nominate  
2007 candidates for President and Vice President of the United States  
2008 may have the names of its candidates for President and Vice  
2009 President printed on the general election ballot if a petition  
2010 is signed by a number of electors in each of one-half of the  
2011 congressional districts of the state, and of the state as a  
2012 whole, equal to 2 percent of the votes cast in each of such  
2013 districts respectively and in the state as a whole in the last  
2014 preceding election in which presidential electors were chosen ±



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2015 ~~percent of the registered electors of this state,~~ as shown by  
2016 the compilation by the Department of State ~~for the preceding~~  
2017 ~~general election.~~ A separate petition from each county for which  
2018 signatures are solicited shall be submitted to the supervisors  
2019 of elections of the respective county no later than July 15 of  
2020 each presidential election year. The supervisor shall check the  
2021 names and, on or before the date of the primary election, shall  
2022 certify the number shown as registered electors of the county.  
2023 The supervisor shall be paid by the person requesting the  
2024 certification the cost of checking the petitions as prescribed  
2025 in s. 99.097. The supervisor shall then forward the certificate  
2026 to the Department of State, which shall determine whether or not  
2027 the percentage factor required in this section has been met.  
2028 When the percentage factor required in this section has been  
2029 met, the Department of State shall order the names of the  
2030 candidates for whom the petition was circulated to be included  
2031 on the ballot and shall permit the required number of persons to  
2032 be certified as electors in the same manner as other party  
2033 candidates.

2034 Section 44. Section 103.095, Florida Statutes, is created  
2035 to read:

2036 103.095 Minor political parties.-

2037 (1) Any group of citizens organized for the general  
2038 purposes of electing to office qualified persons and determining  
2039 public issues under the democratic processes of the United  
2040 States may become a minor political party of this state by  
2041 filing with the department a certificate showing the name of the  
2042 organization, the names and addresses of its current officers,  
2043 including the members of its executive committee, accompanied by



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2044 a completed uniform statewide voter registration application as  
2045 specified in s. 97.052 for each of its current officers and  
2046 members of its executive committee which reflect their  
2047 affiliation with the proposed minor political party, and a copy  
2048 of its constitution, bylaws, and rules and regulations.

2049 (2) All electors registered to vote in the minor political  
2050 party in which he or she has so designated has a fundamental  
2051 right to fully and meaningfully participate in the business and  
2052 affairs of the minor political party without any monetary  
2053 encumbrance. The constitution, bylaws, rules, regulations, or  
2054 other equivalent documents must reflect this fundamental right  
2055 and must provide for and contain reasonable provisions which at  
2056 a minimum must prescribe procedures to: prescribe its  
2057 membership, conduct its meetings according to generally accepted  
2058 parliamentary practices, timely notify its members as to the  
2059 time, date, and place of all of its meetings, timely publish  
2060 notice on its public and functioning website as to the time,  
2061 date, and place of all of its meetings, elect its officers,  
2062 remove its officers, make party nominations when required by  
2063 law, conduct campaigns for party nominees, raise and expend  
2064 party funds, select delegates to its national convention, select  
2065 presidential electors, and alter or amend all of its governing  
2066 documents.

2067 (3) The members of the executive committee must elect a  
2068 chair, vice chair, secretary, and treasurer, all of whom shall  
2069 be members of the minor political party and no member may hold  
2070 more than one office, except that one person may hold the  
2071 offices of secretary and treasurer.

2072 (4) Upon approval of the minor political party's filing,





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2073 the department shall process the voter registration applications  
2074 submitted by the minor political party's officers and members of  
2075 its executive committee. It shall be the duty of the minor  
2076 political party to notify the department of any changes in the  
2077 filing certificate within 5 days after such changes.

2078 (5) The Division of Elections shall adopt rules to  
2079 prescribe the manner in which political parties, including minor  
2080 political parties, may have their filings with the Department of  
2081 State canceled. Such rules shall, at a minimum, provide for:

2082 (a) Notice, which must contain the facts and conduct that  
2083 warrant the intended action, including, but not limited to, the  
2084 failure to have any voters registered in the party, the failure  
2085 to notify the department of replacement officers, and the  
2086 failure to file campaign finance reports, the failure to adopt  
2087 or file with the department all governing documents containing  
2088 the provisions specified in subsection (2), and limited  
2089 activity.

2090 (b) Adequate opportunity to respond.

2091 (c) Appeal of the decision to the Florida Elections  
2092 Commission. Such appeals are exempt from the confidentiality  
2093 provisions of s. 106.25.

2094 (6) The requirements of this section are retroactive for  
2095 any minor political party registered with the department on July  
2096 1, 2011, and must be complied with within 180 days after the  
2097 department provides notice to the minor political party of the  
2098 requirements contained in this section. Failure of the minor  
2099 political party to comply with the requirements within 180 days  
2100 after receipt of the notice shall automatically result in the  
2101 cancellation of the minor political party's registration.



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2102           Section 45. Subsections (1) and (2) of section 103.101,  
2103 Florida Statutes, are amended to read:

2104           103.101 Presidential preference primary.—

2105           (1) (a) There shall be a Presidential Preference Primary  
2106 Date Selection Committee composed of the Secretary of State, who  
2107 shall be a nonvoting chair; three members, no more than two of  
2108 whom may be from the same political party, appointed by the  
2109 Governor; three members, no more than two of whom may be from  
2110 the same political party, appointed by the Speaker of the House  
2111 of Representatives; and three members, no more than two of whom  
2112 may be from the same political party, appointed by the President  
2113 of the Senate. No later than October 1 of the year preceding the  
2114 presidential preference primary, the committee shall meet and  
2115 set a date for the presidential preference primary. The date  
2116 selected may be no earlier than the first Tuesday in January and  
2117 no later than the first Tuesday in March in the year of the  
2118 presidential preference primary. The presidential preference  
2119 primary shall be held in each year the number of which is a  
2120 multiple of four.

2121           (b) Each political party other than a minor political party  
2122 shall, on the date selected by the Presidential Preference  
2123 Primary Date Selection Committee ~~last Tuesday in January~~ in each  
2124 year the number of which is a multiple of 4, elect one person to  
2125 be the candidate for nomination of such party for President of  
2126 the United States or select delegates to the national nominating  
2127 convention, as provided by party rule. Any party rule directing  
2128 the vote of delegates at a national nominating convention shall  
2129 reasonably reflect the results of the presidential preference  
2130 primary, if one is held.



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2131           ~~(2) (a) There shall be a Presidential Candidate Selection~~  
2132 ~~Committee composed of the Secretary of State, who shall be a~~  
2133 ~~nonvoting chair; the Speaker of the House of Representatives;~~  
2134 ~~the President of the Senate; the minority leader of each house~~  
2135 ~~of the Legislature; and the chair of each political party~~  
2136 ~~required to have a presidential preference primary under this~~  
2137 ~~section.~~

2138           ~~(b) By October 31 of the year preceding the presidential~~  
2139 ~~preference primary, each political party shall submit to the~~  
2140 ~~Secretary of State a list of its presidential candidates to be~~  
2141 ~~placed on the presidential preference primary ballot or~~  
2142 ~~candidates entitled to have delegates appear on the presidential~~  
2143 ~~preference primary ballot. The Secretary of State shall prepare~~  
2144 ~~and publish a list of the names of the presidential candidates~~  
2145 ~~submitted not later than on the first Tuesday after the first~~  
2146 ~~Monday in November of the year preceding the presidential~~  
2147 ~~preference primary. The Secretary of State shall submit such~~  
2148 ~~list of names of presidential candidates to the selection~~  
2149 ~~committee on the first Tuesday after the first Monday in~~  
2150 ~~November of the year preceding the presidential preference~~  
2151 ~~primary. Each person designated as a presidential candidate~~  
2152 ~~shall have his or her name appear, or have his or her delegates'~~  
2153 ~~names appear, on the presidential preference primary ballot~~  
2154 ~~unless all committee members of the same political party as the~~  
2155 ~~candidate agree to delete such candidate's name from the ballot.~~

2156           ~~(c) The selection committee shall meet in Tallahassee on~~  
2157 ~~the first Tuesday after the first Monday in November of the year~~  
2158 ~~preceding the presidential preference primary. The selection~~  
2159 ~~committee shall publicly announce and submit to the Department~~



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2160 ~~of State no later than 5 p.m. on the following day the names of~~  
2161 ~~presidential candidates who shall have their names appear, or~~  
2162 ~~who are entitled to have their delegates' names appear, on the~~  
2163 ~~presidential preference primary ballot. The Department of State~~  
2164 shall immediately notify each presidential candidate listed  
2165 ~~designated~~ by the Secretary of State ~~committee~~. Such  
2166 notification shall be in writing, by registered mail, with  
2167 return receipt requested.

2168 Section 46. Section 103.141, Florida Statutes, is amended  
2169 to read:

2170 103.141 Removal of county executive committee member for  
2171 violation of oath.-

2172 ~~(1) If~~ Where the county executive committee by at least a  
2173 two-thirds majority vote of the members of the committee,  
2174 attending a meeting held after due notice has been given and at  
2175 which meeting a quorum is present, determines an incumbent  
2176 county executive committee member is ~~to be~~ guilty of an offense  
2177 involving a violation of the member's oath of office, the said  
2178 ~~member so violating his or her oath~~ shall be removed from office  
2179 and the office shall be deemed vacant. ~~Provided,~~ However, if the  
2180 county committee wrongfully removes a county committee member  
2181 and the committee member ~~so~~ wrongfully removed files suit in the  
2182 circuit court alleging his or her removal was wrongful and wins  
2183 the said suit, the committee member shall be restored to office  
2184 and the county committee shall pay the costs incurred by the  
2185 wrongfully removed committee member in bringing the suit,  
2186 including reasonable attorney's fees.

2187 ~~(2) Any officer, county committeeman, county~~  
2188 ~~committeewoman, precinct committeeman, precinct committeewoman,~~



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2189 ~~or member of a county executive committee may be removed from~~  
2190 ~~office pursuant to s. 103.161.~~

2191 Section 47. Section 103.161, Florida Statutes, is repealed.

2192 Section 48. Section 104.29, Florida Statutes, is amended to  
2193 read:

2194 104.29 Inspectors refusing to allow watchers while ballots  
2195 are counted.—The inspectors or other election officials at the  
2196 polling place shall, after the polls close ~~at all times while~~  
2197 ~~the ballots are being counted~~, allow as many as three persons  
2198 near to them to see whether the ballots are being reconciled  
2199 correctly. ~~read and called and the votes correctly tallied, and~~  
2200 Any official who denies this privilege or interferes therewith  
2201 commits ~~is guilty of~~ a misdemeanor of the first degree,  
2202 punishable as provided in s. 775.082 or s. 775.083.

2203 Section 49. Subsection (3), paragraph (b) of subsection  
2204 (5), subsection (15), and paragraph (c) of subsection (16) of  
2205 section 106.011, Florida Statutes, are amended to read:

2206 106.011 Definitions.—As used in this chapter, the following  
2207 terms have the following meanings unless the context clearly  
2208 indicates otherwise:

2209 (3) "Contribution" means:

2210 (a) A gift, subscription, conveyance, deposit, loan,  
2211 payment, or distribution of money or anything of value,  
2212 including contributions in kind having an attributable monetary  
2213 value in any form, made for the purpose of influencing the  
2214 results of an election or making an electioneering  
2215 communication.

2216 (b) A transfer of funds between political committees,  
2217 between committees of continuous existence, between



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2218 electioneering communications organizations, or between any  
2219 combination of these groups.

2220 (c) The payment, by any person other than a candidate or  
2221 political committee, of compensation for the personal services  
2222 of another person which are rendered to a candidate or political  
2223 committee without charge to the candidate or committee for such  
2224 services.

2225 (d) The transfer of funds by a campaign treasurer or deputy  
2226 campaign treasurer between a primary depository and a separate  
2227 interest-bearing account or certificate of deposit, and the term  
2228 includes any interest earned on such account or certificate.

2229  
2230 Notwithstanding the foregoing meanings of "contribution," the  
2231 term may ~~word shall~~ not be construed to include services,  
2232 including, but not limited to, legal and accounting services,  
2233 provided without compensation by individuals volunteering a  
2234 portion or all of their time on behalf of a candidate or  
2235 political committee. ~~This definition shall not be construed to~~  
2236 ~~include~~ editorial endorsements.

2237 (5)

2238 (b) An expenditure for the purpose of expressly advocating  
2239 the election or defeat of a candidate which is made by the  
2240 national, state, or county executive committee of a political  
2241 party, including any subordinate committee of a national, state,  
2242 or county committee of a political party, or by any political  
2243 committee or committee of continuous existence, or any other  
2244 person, shall not be considered an independent expenditure if  
2245 the committee or person:

2246 1. Communicates with the candidate, the candidate's



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2247 campaign, or an agent of the candidate acting on behalf of the  
2248 candidate, including any pollster, media consultant, advertising  
2249 agency, vendor, advisor, or staff member, concerning the  
2250 preparation of, use of, or payment for, the specific expenditure  
2251 or advertising campaign at issue; or

2252 2. Makes a payment in cooperation, consultation, or concert  
2253 with, at the request or suggestion of, or pursuant to any  
2254 general or particular understanding with the candidate, the  
2255 candidate's campaign, a political committee supporting the  
2256 candidate, or an agent of the candidate relating to the specific  
2257 expenditure or advertising campaign at issue; or

2258 3. Makes a payment for the dissemination, distribution, or  
2259 republication, in whole or in part, of any broadcast or any  
2260 written, graphic, or other form of campaign material prepared by  
2261 the candidate, the candidate's campaign, or an agent of the  
2262 candidate, including any pollster, media consultant, advertising  
2263 agency, vendor, advisor, or staff member; or

2264 4. Makes a payment based on information about the  
2265 candidate's plans, projects, or needs communicated to a member  
2266 of the committee or person by the candidate or an agent of the  
2267 candidate, provided the committee or person uses the information  
2268 in any way, in whole or in part, either directly or indirectly,  
2269 to design, prepare, or pay for the specific expenditure or  
2270 advertising campaign at issue; or

2271 5. After the last day of the qualifying period prescribed  
2272 for the candidate ~~for statewide or legislative office~~, consults  
2273 about the candidate's plans, projects, or needs in connection  
2274 with the candidate's pursuit of election to office and the  
2275 information is used in any way to plan, create, design, or



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2276 prepare an independent expenditure or advertising campaign,  
2277 with:  
2278       a. Any officer, director, employee, or agent of a national,  
2279 state, or county executive committee of a political party that  
2280 has made or intends to make expenditures in connection with or  
2281 contributions to the candidate; or  
2282       b. Any person whose professional services have been  
2283 retained by a national, state, or county executive committee of  
2284 a political party that has made or intends to make expenditures  
2285 in connection with or contributions to the candidate; or  
2286       6. After the last day of the qualifying period prescribed  
2287 for the candidate ~~for statewide or legislative office~~, retains  
2288 the professional services of any person also providing those  
2289 services to the candidate in connection with the candidate's  
2290 pursuit of election to office; or  
2291       7. Arranges, coordinates, or directs the expenditure, in  
2292 any way, with the candidate or an agent of the candidate.  
2293       (15) "Unopposed candidate" means a candidate for nomination  
2294 or election to an office who, after the last day on which any  
2295 person, including a write-in candidate, may qualify, is without  
2296 opposition in the election at which the office is to be filled  
2297 or who is without such opposition after such date as a result of  
2298 any primary election or of withdrawal by other candidates  
2299 seeking the same office. A candidate is not an unopposed  
2300 candidate if there is a vacancy to be filled under s. 100.111(3)  
2301 ~~s. 100.111(4)~~, if there is a legal proceeding pending regarding  
2302 the right to a ballot position for the office sought by the  
2303 candidate, or if the candidate is seeking retention as a justice  
2304 or judge.





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2305 (16) "Candidate" means any person to whom any one or more  
2306 of the following apply:

2307 (c) Any person who receives contributions or makes  
2308 expenditures, or consents for any other person to receive  
2309 contributions or make expenditures, with a view to bring about  
2310 his or her nomination or election to, or retention in, public  
2311 office. However, this definition does not include any candidate  
2312 for a political party executive committee. Expenditures related  
2313 to potential candidate polls as provided in s. 106.17 are not  
2314 contributions or expenditures for purposes of this subsection.

2315 Section 50. Subsection (3) of section 106.021, Florida  
2316 Statutes, is amended to read:

2317 106.021 Campaign treasurers; deputies; primary and  
2318 secondary depositories.—

2319 (3) No contribution or expenditure, including contributions  
2320 or expenditures of a candidate or of the candidate's family,  
2321 shall be directly or indirectly made or received in furtherance  
2322 of the candidacy of any person for nomination or election to  
2323 political office in the state or on behalf of any political  
2324 committee except through the duly appointed campaign treasurer  
2325 of the candidate or political committee, subject to the  
2326 following exceptions:

2327 (a) Independent expenditures;

2328 (b) Reimbursements to a candidate or any other individual  
2329 for expenses incurred in connection with the campaign or  
2330 activities of the political committee by a check drawn upon the  
2331 campaign account and reported pursuant to s. 106.07(4). ~~After~~  
2332 ~~July 1, 2004,~~ The full name ~~and address~~ of each person to whom  
2333 the candidate or other individual made payment for which



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2334 reimbursement was made by check drawn upon the campaign account  
2335 shall be reported pursuant to s. 106.07(4), together with the  
2336 purpose of such payment;

2337 (c) Expenditures made indirectly through a treasurer for  
2338 goods or services, such as communications media placement or  
2339 procurement services, campaign signs, insurance, or other  
2340 expenditures that include multiple integral components as part  
2341 of the expenditure and reported pursuant to s. 106.07(4)(a)13.;  
2342 or

2343 (d) Expenditures made directly by any political committee  
2344 or political party regulated by chapter 103 for obtaining time,  
2345 space, or services in or by any communications medium for the  
2346 purpose of jointly endorsing three or more candidates, and any  
2347 such expenditure shall not be considered a contribution or  
2348 expenditure to or on behalf of any such candidates for the  
2349 purposes of this chapter.

2350 Section 51. Section 106.022, Florida Statutes, is amended  
2351 to read:

2352 106.022 Appointment of a registered agent; duties.-

2353 (1) Each political committee, committee of continuous  
2354 existence, or electioneering communications organization shall  
2355 have and continuously maintain in this state a registered office  
2356 and a registered agent and must file with the filing officer  
2357 ~~division~~ a statement of appointment for the registered office  
2358 and registered agent. The statement of appointment must:

2359 (a) Provide the name of the registered agent and the street  
2360 address and phone number for the registered office;

2361 (b) Identify the entity for whom the registered agent  
2362 serves;



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2363 (c) Designate the address the registered agent wishes to  
2364 use to receive mail;

2365 (d) Include the entity's undertaking to inform the filing  
2366 officer ~~division~~ of any change in such designated address;

2367 (e) Provide for the registered agent's acceptance of the  
2368 appointment, which must confirm that the registered agent is  
2369 familiar with and accepts the obligations of the position as set  
2370 forth in this section; and

2371 (f) Contain the signature of the registered agent and the  
2372 entity engaging the registered agent.

2373 (2) An entity may change its appointment of registered  
2374 agent and registered office under this section by executing a  
2375 written statement of change and filing it with the filing  
2376 officer. ~~The statement must satisfy that identifies the former~~  
2377 ~~registered agent and registered address and also satisfies all~~  
2378 of the requirements of subsection (1).

2379 (3) A registered agent may resign his or her appointment as  
2380 registered agent by executing a written statement of resignation  
2381 and filing it with the filing officer ~~division~~. An entity  
2382 without a registered agent may not make expenditures or accept  
2383 contributions until it files a written statement of change as  
2384 required in subsection (2).

2385 Section 52. Subsection (1) of section 106.023, Florida  
2386 Statutes, is amended to read:

2387 106.023 Statement of candidate.—

2388 (1) Each candidate must file a statement with the  
2389 qualifying officer within 10 days after filing the appointment  
2390 of campaign treasurer and designation of campaign depository,  
2391 stating that the candidate has read and understands the



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2392 requirements of this chapter. Such statement shall be provided  
2393 by the filing officer and shall be in substantially the  
2394 following form:

2395

2396 STATEMENT OF CANDIDATE

2397

2398 I, ....., candidate for the office of ....., have been  
2399 provided access to ~~received,~~ read, and understand the  
2400 requirements of Chapter 106, Florida Statutes.

2401

2402 ...(Signature of candidate)... (Date)...

2403

2404 Willful failure to file this form is a violation of ss.  
2405 106.19(1)(c) and 106.25(3), F.S.

2406 Section 53. Paragraph (c) of subsection (1) of section  
2407 106.025, Florida Statutes, is amended to read:

2408 106.025 Campaign fund raisers.-

2409 (1)

2410 (c) Any tickets or advertising for such a campaign fund  
2411 raiser is exempt from the requirements of s. 106.143 ~~shall~~  
2412 ~~contain the following statement: "The purchase of a ticket for,~~  
2413 ~~or a contribution to, the campaign fund raiser is a contribution~~  
2414 ~~to the campaign of ...(name of the candidate for whose benefit~~  
2415 ~~the campaign fund raiser is held)...." Such tickets or~~  
2416 ~~advertising shall also comply with other provisions of this~~  
2417 ~~chapter relating to political advertising.~~

2418 Section 54. Subsection (1) and paragraph (d) of subsection  
2419 (3) of section 106.03, Florida Statutes, are amended to read:

2420 106.03 Registration of political committees and



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2421 electioneering communications organizations.-

2422 (1) (a) Each political committee that receives ~~anticipates~~  
2423 ~~receiving~~ contributions or makes ~~making~~ expenditures during a  
2424 calendar year in an aggregate amount exceeding \$500 or that  
2425 seeks ~~is seeking~~ the signatures of registered electors in  
2426 support of an initiative shall file a statement of organization  
2427 as provided in subsection (3) within 10 days after its  
2428 organization ~~or, if later, within 10 days after the date on~~  
2429 ~~which it has information that causes the committee to anticipate~~  
2430 ~~that it will receive contributions or make expenditures in~~  
2431 ~~excess of \$500.~~ If a political committee is organized within 10  
2432 days of any election, it shall immediately file the statement of  
2433 organization required by this section.

2434 (b)1. Each group ~~electioneering communications organization~~  
2435 ~~that receives contributions or makes expenditures during a~~  
2436 ~~calendar year in an aggregate amount exceeding \$5,000~~ shall file  
2437 a statement of organization as an electioneering communications  
2438 organization provided in subparagraph 2. by expedited delivery  
2439 ~~within 24 hours after its organization or, if later, within 24~~  
2440 hours after the date on which it ~~receives contributions or~~ makes  
2441 expenditures for an electioneering communication in excess of  
2442 \$5,000, if such expenditures are made within the timeframes  
2443 specified in s. 106.011(18)(a)2. If the group makes expenditures  
2444 for an electioneering communication in excess of \$5,000 before  
2445 the timeframes specified in s. 106.011(18)(a)2., it shall file  
2446 the statement of organization within 24 hours after the 30th day  
2447 before a primary or special primary election, or within 24 hours  
2448 after the 60th day before any other election, whichever is  
2449 applicable.



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2450           2.a. In a statewide, legislative, or multicounty election,  
2451 an electioneering communications organization shall file a  
2452 statement of organization with the Division of Elections.

2453           b. In a countywide election or any election held on less  
2454 than a countywide basis, except as described in sub-subparagraph  
2455 c., an electioneering communications organization shall file a  
2456 statement of organization with the supervisor of elections of  
2457 the county in which the election is being held.

2458           c. In a municipal election, an electioneering  
2459 communications organization shall file a statement of  
2460 organization with the officer before whom municipal candidates  
2461 qualify.

2462           d. Any electioneering communications organization that  
2463 would be required to file a statement of organization in two or  
2464 more locations ~~by reason of the organization's intention to~~  
2465 ~~support or oppose candidates at state or multicounty and local~~  
2466 ~~levels of government~~ need only file a statement of organization  
2467 with the Division of Elections.

2468           (3)

2469           (d) Any political committee which would be required under  
2470 this subsection to file a statement of organization in two or  
2471 more locations ~~by reason of the committee's intention to support~~  
2472 ~~or oppose candidates or issues at state or multicounty and local~~  
2473 ~~levels of government~~ need file only with the Division of  
2474 Elections.

2475           Section 55. Subsection (4) of section 106.04, Florida  
2476 Statutes, is amended, present subsections (7) and (8) of that  
2477 section are amended and renumbered as subsections (8) and (9),  
2478 respectively, and a new subsection (7) is added to that section,



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2479 to read:

2480 106.04 Committees of continuous existence.—

2481 (4) (a) Each committee of continuous existence shall file an  
2482 annual report with the Division of Elections during the month of  
2483 January. Such annual reports shall contain the same information  
2484 and shall be accompanied by the same materials as original  
2485 applications filed pursuant to subsection (2). However, the  
2486 charter or bylaws need not be filed if the annual report is  
2487 accompanied by a sworn statement by the chair that no changes  
2488 have been made to such charter or bylaws since the last filing.

2489 (b)1. Each committee of continuous existence shall file  
2490 regular reports with the Division of Elections at the same times  
2491 and subject to the same filing conditions as are established by  
2492 s. 106.07(1) and (2) for candidates' reports. In addition, when  
2493 a special election is called to fill a vacancy in office, a  
2494 committee of continuous existence that makes a contribution or  
2495 expenditure to influence the results of such special election or  
2496 the preceding special primary election must file campaign  
2497 finance reports with the filing officer on the dates set by the  
2498 Department of State pursuant to s. 100.111.

2499 2. Any committee of continuous existence failing to so file  
2500 a report with the Division of Elections or applicable filing  
2501 officer pursuant to this paragraph on the designated due date  
2502 shall be subject to a fine for late filing as provided by this  
2503 section.

2504 (c) All committees of continuous existence shall file their  
2505 reports with the Division of Elections. Reports shall be filed  
2506 in accordance with s. 106.0705 and shall contain the following  
2507 information:



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2508           1. The full name, address, and occupation of each person  
2509 who has made one or more contributions, including contributions  
2510 that represent the payment of membership dues, to the committee  
2511 during the reporting period, together with the amounts and dates  
2512 of such contributions. For corporations, the report must provide  
2513 as clear a description as practicable of the principal type of  
2514 business conducted by the corporation. However, if the  
2515 contribution is \$100 or less, the occupation of the contributor  
2516 or principal type of business need not be listed. However, for  
2517 any contributions that represent the payment of dues by members  
2518 in a fixed amount aggregating no more than \$250 per calendar  
2519 year, pursuant to the schedule on file with the Division of  
2520 Elections, only the aggregate amount of such contributions need  
2521 be listed, together with the number of members paying such dues  
2522 and the amount of the membership dues.

2523           2. The name and address of each political committee or  
2524 committee of continuous existence from which the reporting  
2525 committee received, or the name and address of each political  
2526 committee, committee of continuous existence, or political party  
2527 to which it made, any transfer of funds, together with the  
2528 amounts and dates of all transfers.

2529           3. Any other receipt of funds not listed pursuant to  
2530 subparagraph 1. or subparagraph 2., including the sources and  
2531 amounts of all such funds.

2532           4. The name and address of, and office sought by, each  
2533 candidate to whom the committee has made a contribution during  
2534 the reporting period, together with the amount and date of each  
2535 contribution.

2536           5. The full name and address of each person to whom





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2537 expenditures have been made by or on behalf of the committee  
2538 within the reporting period; the amount, date, and purpose of  
2539 each such expenditure; and the name and address, and office  
2540 sought by, each candidate on whose behalf such expenditure was  
2541 made.

2542 6. The full name and address of each person to whom an  
2543 expenditure for personal services, salary, or reimbursement for  
2544 authorized expenses has been made, including the full name and  
2545 address of each entity to whom the person made payment for which  
2546 reimbursement was made by check drawn upon the committee  
2547 account, together with the amount and purpose of such payment.

2548 7. Transaction information from each credit card purchase  
2549 ~~statement that will be included in the next report following~~  
2550 ~~receipt thereof by the committee~~. Receipts for each credit card  
2551 purchase shall be retained by the treasurer with the records for  
2552 the committee account.

2553 8. The total sum of expenditures made by the committee  
2554 during the reporting period.

2555 (d) The treasurer of each committee shall certify as to the  
2556 correctness of each report and shall bear the responsibility for  
2557 its accuracy and veracity. Any treasurer who willfully certifies  
2558 to the correctness of a report while knowing that such report is  
2559 incorrect, false, or incomplete commits a misdemeanor of the  
2560 first degree, punishable as provided in s. 775.082 or s.  
2561 775.083.

2562 (7) Any change in information previously submitted to the  
2563 division shall be reported within 10 days following the change.

2564 (8)~~(7)~~ If a committee of continuous existence ceases to  
2565 meet the criteria prescribed by subsection (1), the Division of



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2566 Elections shall revoke its certification ~~until such time as the~~  
2567 ~~criteria are again met~~. The Division of Elections shall adopt  
2568 ~~promulgate~~ rules to prescribe the manner in which the such  
2569 certification of a committee of continuous existence shall be  
2570 revoked. Such rules shall, at a minimum, provide for:

2571 (a) Notice, which must ~~shall~~ contain the facts and conduct  
2572 that warrant the intended action.

2573 (b) Adequate opportunity to respond.

2574 (c) Appeal of the decision to the Florida Elections  
2575 Commission. Such appeals are ~~shall be~~ exempt from the  
2576 confidentiality provisions of s. 106.25.

2577 ~~(9)-(8)~~ (a) Any committee of continuous existence failing to  
2578 file a report on the designated due date is ~~shall be~~ subject to  
2579 a fine. The fine shall be \$50 per day for the first 3 days late  
2580 and, thereafter, \$500 per day for each late day, not to exceed  
2581 25 percent of the total receipts or expenditures, whichever is  
2582 greater, for the period covered by the late report. However, for  
2583 the reports immediately preceding each primary and general  
2584 election, including a special primary election and a special  
2585 general election, the fine shall be \$500 per day for each late  
2586 day, not to exceed 25 percent of the total receipts or  
2587 expenditures, whichever is greater, for the period covered by  
2588 the late report. The fine shall be assessed by the filing  
2589 officer, and the moneys collected shall be deposited into:

2590 1. ~~In~~ The General Revenue Fund, in the case of fines  
2591 collected by the Division of Elections.

2592 2. The general revenue fund of the political subdivision,  
2593 in the case of fines collected by a county or municipal filing  
2594 officer. No separate fine shall be assessed for failure to file



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2595 a copy of any report required by this section.

2596 (b) Upon determining that a report is late, the filing  
2597 officer shall immediately notify the treasurer of the committee  
2598 or the committee's registered agent as to the failure to file a  
2599 report by the designated due date and that a fine is being  
2600 assessed for each late day. Upon receipt of the report, the  
2601 filing officer shall determine the amount of fine which is due  
2602 and shall notify the treasurer of the committee. Notice is  
2603 deemed complete upon proof of delivery of written notice to the  
2604 mailing or street address on record with the filing officer. The  
2605 filing officer shall determine the amount of the fine due based  
2606 upon the earliest of the following:

- 2607 1. When the report is actually received by such officer.
- 2608 2. When the report is postmarked.
- 2609 3. When the certificate of mailing is dated.
- 2610 4. When the receipt from an established courier company is  
2611 dated.

2612  
2613 Such fine shall be paid to the filing officer within 20 days  
2614 after receipt of the notice of payment due, unless appeal is  
2615 made to the Florida Elections Commission pursuant to paragraph  
2616 (c). An officer or member of a committee is shall not ~~be~~  
2617 personally liable for such fine.

2618 (c) Any treasurer of a committee may appeal or dispute the  
2619 fine, based upon unusual circumstances surrounding the failure  
2620 to file on the designated due date, and may request and is shall  
2621 ~~be~~ entitled to a hearing before the Florida Elections  
2622 Commission, which may shall ~~have the authority to~~ waive the fine  
2623 in whole or in part. Any such request must shall be made within



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2624 20 days after receipt of the notice of payment due. ~~In such~~  
2625 ~~case, the treasurer of~~ The committee shall file the appeal with  
2626 ~~, within the 20-day period, notify the filing officer in writing~~  
2627 ~~of his or her intention to bring the matter before the~~  
2628 ~~commission, with a copy provided to the filing officer.~~

2629 (d) The filing officer shall notify the Florida Elections  
2630 Commission of the repeated late filing by a committee of  
2631 continuous existence, the failure of a committee of continuous  
2632 existence to file a report after notice, or the failure to pay  
2633 the fine imposed.

2634 Section 56. Section 106.07, Florida Statutes, is amended to  
2635 read:

2636 106.07 Reports; certification and filing.-

2637 (1) Each campaign treasurer designated by a candidate or  
2638 political committee pursuant to s. 106.021 shall file regular  
2639 reports of all contributions received, and all expenditures  
2640 made, by or on behalf of such candidate or political committee.  
2641 Except for the third calendar quarter immediately preceding a  
2642 general election, reports shall be filed on the 10th day  
2643 following the end of each calendar quarter from the time the  
2644 campaign treasurer is appointed, except that, if the 10th day  
2645 following the end of a calendar quarter occurs on a Saturday,  
2646 Sunday, or legal holiday, the report shall be filed on the next  
2647 following day which is not a Saturday, Sunday, or legal holiday.  
2648 Quarterly reports shall include all contributions received and  
2649 expenditures made during the calendar quarter which have not  
2650 otherwise been reported pursuant to this section.

2651 (a) Except as provided in paragraph (b), ~~following the last~~  
2652 ~~day of qualifying for office,~~ the reports shall also be filed on



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2653 the 32nd, 18th, and 4th days immediately preceding the primary  
2654 and on the 46th, 32nd, 18th, and 4th days immediately preceding  
2655 the election, for a candidate who is opposed in seeking  
2656 nomination or election to any office, for a political committee,  
2657 or for a committee of continuous existence.

2658 (b) ~~Following the last day of qualifying for office,~~ Any  
2659 statewide candidate who has requested to receive contributions  
2660 pursuant to ~~from~~ the Florida Election Campaign Financing Act  
2661 ~~Trust Fund~~ or any statewide candidate in a race with a candidate  
2662 who has requested to receive contributions pursuant to ~~from~~ the  
2663 act ~~trust fund~~ shall also file reports on the 4th, 11th, 18th,  
2664 25th, and 32nd days prior to the primary election, and on the  
2665 4th, 11th, 18th, 25th, 32nd, 39th, 46th, and 53rd days prior to  
2666 the general election.

2667 (c) Following the last day of qualifying for office, any  
2668 unopposed candidate need only file a report within 90 days after  
2669 the date such candidate became unopposed. Such report shall  
2670 contain all previously unreported contributions and expenditures  
2671 as required by this section and shall reflect disposition of  
2672 funds as required by s. 106.141.

2673 (d)1. When a special election is called to fill a vacancy  
2674 in office, all political committees ~~and committees of continuous~~  
2675 ~~existence~~ making contributions or expenditures to influence the  
2676 results of such special election or the preceding special  
2677 primary election shall file campaign treasurers' reports with  
2678 the filing officer on the dates set by the Department of State  
2679 pursuant to s. 100.111.

2680 2. When an election is called for an issue to appear on the  
2681 ballot at a time when no candidates are scheduled to appear on



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2682 the ballot, all political committees making contributions or  
2683 expenditures in support of or in opposition to such issue shall  
2684 file reports on the 18th and 4th days prior to such election.

2685 (e) The filing officer shall provide each candidate with a  
2686 schedule designating the beginning and end of reporting periods  
2687 as well as the corresponding designated due dates.

2688 (2) (a) 1. All reports required of a candidate by this  
2689 section shall be filed with the officer before whom the  
2690 candidate is required by law to qualify. All candidates who file  
2691 with the Department of State shall file their reports pursuant  
2692 to s. 106.0705. Except as provided in s. 106.0705, reports shall  
2693 be filed not later than 5 p.m. of the day designated; however,  
2694 any report postmarked by the United States Postal Service no  
2695 later than midnight of the day designated shall be deemed to  
2696 have been filed in a timely manner. Any report received by the  
2697 filing officer within 5 days after the designated due date that  
2698 was delivered by the United States Postal Service shall be  
2699 deemed timely filed unless it has a postmark that indicates that  
2700 the report was mailed after the designated due date. A  
2701 certificate of mailing obtained from and dated by the United  
2702 States Postal Service at the time of mailing, or a receipt from  
2703 an established courier company, which bears a date on or before  
2704 the date on which the report is due, shall be proof of mailing  
2705 in a timely manner. Reports shall contain information of all  
2706 previously unreported contributions received and expenditures  
2707 made as of the preceding Friday, except that the report filed on  
2708 the Friday immediately preceding the election shall contain  
2709 information of all previously unreported contributions received  
2710 and expenditures made as of the day preceding that designated



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2711 due date. All such reports shall be open to public inspection.

2712 2. This subsection does not prohibit the governing body of  
2713 a political subdivision, by ordinance or resolution, from  
2714 imposing upon its own officers and candidates electronic filing  
2715 requirements not in conflict with s. 106.0705. Expenditure of  
2716 public funds for such purpose is deemed to be for a valid public  
2717 purpose.

2718 (b)1. Any report that ~~which~~ is deemed to be incomplete by  
2719 the officer with whom the candidate qualifies shall be accepted  
2720 on a conditional basis. ~~and~~ The campaign treasurer shall be  
2721 notified by certified registered mail or by another method using  
2722 a common carrier that provides a proof of delivery of the notice  
2723 as to why the report is incomplete and within 7 ~~be given 3~~ days  
2724 after ~~from~~ receipt of such notice must ~~to~~ file an addendum to  
2725 the report providing all information necessary to complete the  
2726 report in compliance with this section. Failure to file a  
2727 complete report after such notice constitutes a violation of  
2728 this chapter.

2729 2. Notice is deemed complete upon proof of delivery of a  
2730 written notice to the mailing or street address of the campaign  
2731 treasurer or registered agent of record with the filing officer.  
2732 ~~In lieu of the notice by registered mail as required in~~  
2733 ~~subparagraph 1., the qualifying officer may notify the campaign~~  
2734 ~~treasurer by telephone that the report is incomplete and request~~  
2735 ~~the information necessary to complete the report. If, however,~~  
2736 ~~such information is not received by the qualifying officer~~  
2737 ~~within 3 days after the telephone request therefor, notice shall~~  
2738 ~~be sent by registered mail as provided in subparagraph 1.~~

2739 (3) Reports required of a political committee shall be



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2740 filed with the agency or officer before whom such committee  
2741 registers pursuant to s. 106.03(3) and shall be subject to the  
2742 same filing conditions as established for candidates' reports.  
2743 Incomplete reports by political committees shall be treated in  
2744 the manner provided for incomplete reports by candidates in  
2745 subsection (2).

2746 (4) (a) Each report required by this section must ~~shall~~  
2747 contain:

2748 1. The full name, address, and occupation, if any of each  
2749 person who has made one or more contributions to or for such  
2750 committee or candidate within the reporting period, together  
2751 with the amount and date of such contributions. For  
2752 corporations, the report must provide as clear a description as  
2753 practicable of the principal type of business conducted by the  
2754 corporation. However, if the contribution is \$100 or less or is  
2755 from a relative, as defined in s. 112.312, provided that the  
2756 relationship is reported, the occupation of the contributor or  
2757 the principal type of business need not be listed.

2758 2. The name and address of each political committee from  
2759 which the reporting committee or the candidate received, or to  
2760 which the reporting committee or candidate made, any transfer of  
2761 funds, together with the amounts and dates of all transfers.

2762 3. Each loan for campaign purposes to or from any person or  
2763 political committee within the reporting period, together with  
2764 the full names, addresses, and occupations, and principal places  
2765 of business, if any, of the lender and endorsers, if any, and  
2766 the date and amount of such loans.

2767 4. A statement of each contribution, rebate, refund, or  
2768 other receipt not otherwise listed under subparagraphs 1.





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2769 through 3.

2770 5. The total sums of all loans, in-kind contributions, and  
2771 other receipts by or for such committee or candidate during the  
2772 reporting period. The reporting forms shall be designed to  
2773 elicit separate totals for in-kind contributions, loans, and  
2774 other receipts.

2775 6. The full name and address of each person to whom  
2776 expenditures have been made by or on behalf of the committee or  
2777 candidate within the reporting period; the amount, date, and  
2778 purpose of each such expenditure; and the name and address of,  
2779 and office sought by, each candidate on whose behalf such  
2780 expenditure was made. However, expenditures made from the petty  
2781 cash fund provided by s. 106.12 need not be reported  
2782 individually.

2783 7. The full name and address of each person to whom an  
2784 expenditure for personal services, salary, or reimbursement for  
2785 authorized expenses as provided in s. 106.021(3) has been made  
2786 and which is not otherwise reported, including the amount, date,  
2787 and purpose of such expenditure. However, expenditures made from  
2788 the petty cash fund provided for in s. 106.12 need not be  
2789 reported individually. Receipts for reimbursement for authorized  
2790 expenditures shall be retained by the treasurer along with the  
2791 records for the campaign account.

2792 8. The total amount withdrawn and the total amount spent  
2793 for petty cash purposes pursuant to this chapter during the  
2794 reporting period.

2795 9. The total sum of expenditures made by such committee or  
2796 candidate during the reporting period.

2797 10. The amount and nature of debts and obligations owed by



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2798 or to the committee or candidate, which relate to the conduct of  
2799 any political campaign.

2800 11. Transaction information for each credit card purchase.

2801 ~~A copy of each credit card statement which shall be included in~~  
2802 ~~the next report following receipt thereof by the candidate or~~  
2803 ~~political committee.~~ Receipts for each credit card purchase  
2804 shall be retained by the treasurer with the records for the  
2805 campaign account.

2806 12. The amount and nature of any separate interest-bearing  
2807 accounts or certificates of deposit and identification of the  
2808 financial institution in which such accounts or certificates of  
2809 deposit are located.

2810 13. The primary purposes of an expenditure made indirectly  
2811 through a campaign treasurer pursuant to s. 106.021(3) for goods  
2812 and services such as communications media placement or  
2813 procurement services, campaign signs, insurance, and other  
2814 expenditures that include multiple components as part of the  
2815 expenditure. The primary purpose of an expenditure shall be that  
2816 purpose, including integral and directly related components,  
2817 that comprises 80 percent of such expenditure.

2818 (b) The filing officer shall make available to any  
2819 candidate or committee a reporting form which the candidate or  
2820 committee may use to indicate contributions received by the  
2821 candidate or committee but returned to the contributor before  
2822 deposit.

2823 (5) The candidate and his or her campaign treasurer, in the  
2824 case of a candidate, or the political committee chair and  
2825 campaign treasurer of the committee, in the case of a political  
2826 committee, shall certify as to the correctness of each report;



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2827 and each person so certifying shall bear the responsibility for  
2828 the accuracy and veracity of each report. Any campaign  
2829 treasurer, candidate, or political committee chair who willfully  
2830 certifies the correctness of any report while knowing that such  
2831 report is incorrect, false, or incomplete commits a misdemeanor  
2832 of the first degree, punishable as provided in s. 775.082 or s.  
2833 775.083.

2834 (6) ~~The campaign depository shall return all checks drawn~~  
2835 ~~on the account to the campaign treasurer who shall retain the~~  
2836 ~~records pursuant to s. 106.06.~~ The records maintained by the  
2837 campaign depository with respect to any campaign account  
2838 regulated by this chapter are such account shall be subject to  
2839 inspection by an agent of the Division of Elections or the  
2840 Florida Elections Commission at any time during normal banking  
2841 hours, and such depository shall furnish certified copies of any  
2842 of such records to the Division of Elections or Florida  
2843 Elections Commission upon request.

2844 (7) Notwithstanding any other provisions of this chapter,  
2845 in any reporting period during which a candidate, political  
2846 committee, or committee of continuous existence has not received  
2847 funds, made any contributions, or expended any reportable funds,  
2848 the filing of the required report for that period is waived.  
2849 However, the next report filed must specify that the report  
2850 covers the entire period between the last submitted report and  
2851 the report being filed, and any candidate, political committee,  
2852 or committee of continuous existence not reporting by virtue of  
2853 this subsection on dates prescribed elsewhere in this chapter  
2854 shall notify the filing officer in writing on the prescribed  
2855 reporting date that no report is being filed on that date.



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2856 (8) (a) Any candidate or political committee failing to file  
2857 a report on the designated due date is ~~shall be~~ subject to a  
2858 fine as provided in paragraph (b) for each late day, and, in the  
2859 case of a candidate, such fine shall be paid only from personal  
2860 funds of the candidate. The fine shall be assessed by the filing  
2861 officer and the moneys collected shall be deposited:

2862 1. In the General Revenue Fund, in the case of a candidate  
2863 for state office or a political committee that registers with  
2864 the Division of Elections; or

2865 2. In the general revenue fund of the political  
2866 subdivision, in the case of a candidate for an office of a  
2867 political subdivision or a political committee that registers  
2868 with an officer of a political subdivision.

2869  
2870 No separate fine shall be assessed for failure to file a copy of  
2871 any report required by this section.

2872 (b) Upon determining that a report is late, the filing  
2873 officer shall immediately notify the candidate or chair of the  
2874 political committee as to the failure to file a report by the  
2875 designated due date and that a fine is being assessed for each  
2876 late day. The fine shall be \$50 per day for the first 3 days  
2877 late and, thereafter, \$500 per day for each late day, not to  
2878 exceed 25 percent of the total receipts or expenditures,  
2879 whichever is greater, for the period covered by the late report.  
2880 However, for the reports immediately preceding each special  
2881 primary election, special election, primary election, and  
2882 general election, the fine shall be \$500 per day for each late  
2883 day, not to exceed 25 percent of the total receipts or  
2884 expenditures, whichever is greater, for the period covered by



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2885 the late report. For reports required under s. 106.141(7), the  
2886 fine is \$50 per day for each late day, not to exceed 25 percent  
2887 of the total receipts or expenditures, whichever is greater, for  
2888 the period covered by the late report. Upon receipt of the  
2889 report, the filing officer shall determine the amount of the  
2890 fine which is due and shall notify the candidate or chair or  
2891 registered agent of the political committee. The filing officer  
2892 shall determine the amount of the fine due based upon the  
2893 earliest of the following:

- 2894 1. When the report is actually received by such officer.
- 2895 2. When the report is postmarked.
- 2896 3. When the certificate of mailing is dated.
- 2897 4. When the receipt from an established courier company is  
2898 dated.
- 2899 5. When the electronic receipt issued pursuant to s.  
2900 106.0705 or other electronic filing system authorized in this  
2901 section is dated.

2902  
2903 Such fine shall be paid to the filing officer within 20 days  
2904 after receipt of the notice of payment due, unless appeal is  
2905 made to the Florida Elections Commission pursuant to paragraph  
2906 (c). Notice is deemed complete upon proof of delivery of written  
2907 notice to the mailing or street address on record with the  
2908 filing officer. In the case of a candidate, such fine shall not  
2909 be an allowable campaign expenditure and shall be paid only from  
2910 personal funds of the candidate. An officer or member of a  
2911 political committee shall not be personally liable for such  
2912 fine.

2913 (c) Any candidate or chair of a political committee may



2914 appeal or dispute the fine, based upon, but not limited to,  
2915 unusual circumstances surrounding the failure to file on the  
2916 designated due date, and may request and shall be entitled to a  
2917 hearing before the Florida Elections Commission, which shall  
2918 have the authority to waive the fine in whole or in part. The  
2919 Florida Elections Commission must consider the mitigating and  
2920 aggravating circumstances contained in s. 106.265(1) when  
2921 determining the amount of a fine, if any, to be waived. Any such  
2922 request shall be made within 20 days after receipt of the notice  
2923 of payment due. In such case, the candidate or chair of the  
2924 political committee shall, within the 20-day period, notify the  
2925 filing officer in writing of his or her intention to bring the  
2926 matter before the commission.

2927 (d) The appropriate filing officer shall notify the Florida  
2928 Elections Commission of the repeated late filing by a candidate  
2929 or political committee, the failure of a candidate or political  
2930 committee to file a report after notice, or the failure to pay  
2931 the fine imposed. The commission shall investigate only those  
2932 alleged late filing violations specifically identified by the  
2933 filing officer and as set forth in the notification. Any other  
2934 alleged violations must be separately stated and reported by the  
2935 division to the commission under s. 106.25(2).

2936 (9) The Department of State may prescribe by rule the  
2937 requirements for filing campaign treasurers' reports as set  
2938 forth in this chapter.

2939 Section 57. Subsections (8) and (9) of section 106.0703,  
2940 Florida Statutes, are amended to read:

2941 106.0703 Electioneering communications organizations;  
2942 reporting requirements; certification and filing; penalties.-



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2943           ~~(8) An electioneering communications organization shall,~~  
2944 ~~within 2 days after receiving its initial password or secure~~  
2945 ~~sign on from the Department of State allowing confidential~~  
2946 ~~access to the department's electronic campaign finance filing~~  
2947 ~~system, electronically file the periodic reports that would have~~  
2948 ~~been required pursuant to this section for reportable activities~~  
2949 ~~that occurred since the date of the last general election.~~

2950           ~~(8)~~<sup>(9)</sup> Electioneering communications organizations shall  
2951 not use credit cards.

2952           Section 58. Paragraphs (a) and (c) of subsection (2) and  
2953 subsections (3) and (7) of section 106.0705, Florida Statutes,  
2954 are amended to read:

2955           106.0705 Electronic filing of campaign treasurer's  
2956 reports.—

2957           (2) (a) Each individual candidate who is required to file  
2958 reports with the division pursuant to s. 106.07 or s. 106.141  
2959 ~~with the division~~ must file such reports ~~with the division~~ by  
2960 means of the division's electronic filing system.

2961           (c) Each person or organization that is required to file  
2962 reports with the division under s. 106.071 must file such  
2963 reports ~~with the division~~ by means of the division's electronic  
2964 filing system.

2965           (3) Reports filed pursuant to this section shall be  
2966 completed and filed through the electronic filing system not  
2967 later than midnight of the day designated. Reports not filed by  
2968 midnight of the day designated are late filed and are subject to  
2969 the penalties under s. 106.04(9) ~~s. 106.04(8)~~, s. 106.07(8), s.  
2970 106.0703(7), or s. 106.29(3), as applicable.

2971           ~~(7) Notwithstanding anything in law to the contrary, any~~



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2972 ~~report required to have been filed under this section for the~~  
2973 ~~period ended March 31, 2005, shall be deemed to have been timely~~  
2974 ~~filed if the report is filed under this section on or before~~  
2975 ~~June 1, 2005.~~

2976 Section 59. Subsections (3) and (6) of section 106.08,  
2977 Florida Statutes, are amended to read:

2978 106.08 Contributions; limitations on.-

2979 (3) (a) Any contribution received by a candidate with  
2980 opposition in an election or by the campaign treasurer or a  
2981 deputy campaign treasurer of such a candidate on the day of that  
2982 election or less than 5 days prior to the day of that election  
2983 must be returned by him or her to the person or committee  
2984 contributing it and may not be used or expended by or on behalf  
2985 of the candidate.

2986 (b) Except as otherwise provided in paragraph (c), any  
2987 contribution received by a candidate or by the campaign  
2988 treasurer or a deputy campaign treasurer of a candidate after  
2989 the date at which the candidate withdraws his or her candidacy,  
2990 or after the date the candidate is defeated, becomes unopposed,  
2991 or is elected to office must be returned to the person or  
2992 committee contributing it and may not be used or expended by or  
2993 on behalf of the candidate.

2994 ~~(c) With respect to any campaign for an office in which an~~  
2995 ~~independent or minor party candidate has filed as required in s.~~  
2996 ~~99.0955 or s. 99.096, but whose qualification is pending a~~  
2997 ~~determination by the Department of State or supervisor of~~  
2998 ~~elections as to whether or not the required number of petition~~  
2999 ~~signatures was obtained:~~

3000 ~~1. The department or supervisor shall, no later than 3 days~~





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3001 ~~after that determination has been made, notify in writing all~~  
3002 ~~other candidates for that office of that determination.~~

3003 ~~2. Any contribution received by a candidate or the campaign~~  
3004 ~~treasurer or deputy campaign treasurer of a candidate after the~~  
3005 ~~candidate has been notified in writing by the department or~~  
3006 ~~supervisor that he or she has become unopposed as a result of an~~  
3007 ~~independent or minor party candidate failing to obtain the~~  
3008 ~~required number of petition signatures shall be returned to the~~  
3009 ~~person, political committee, or committee of continuous~~  
3010 ~~existence contributing it and shall not be used or expended by~~  
3011 ~~or on behalf of the candidate.~~

3012 (6) (a) A political party may not accept any contribution  
3013 that has been specifically designated for the partial or  
3014 exclusive use of a particular candidate. Any contribution so  
3015 designated must be returned to the contributor and may not be  
3016 used or expended by or on behalf of the candidate.

3017 (b)1. A political party may not accept any in-kind  
3018 contribution that fails to provide a direct benefit to the  
3019 political party. A "direct benefit" includes, but is not limited  
3020 to, fundraising or furthering the objectives of the political  
3021 party.

3022 2.a. An in-kind contribution to a state political party may  
3023 be accepted only by the chairperson of the state political party  
3024 or by the chairperson's designee or designees whose names are on  
3025 file with the division in a form acceptable to the division  
3026 prior to the date of the written notice required in sub-  
3027 subparagraph b. An in-kind contribution to a county political  
3028 party may be accepted only by the chairperson of the county  
3029 political party or by the county chairperson's designee or



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3030 designees whose names are on file with the supervisor of  
3031 elections of the respective county prior to the date of the  
3032 written notice required in sub-subparagraph b.

3033       b. A person making an in-kind contribution to a state  
3034 political party or county political party must provide prior  
3035 written notice of the contribution to a person described in sub-  
3036 subparagraph a. The prior written notice must be signed and  
3037 dated and may be provided by an electronic or facsimile message.  
3038 However, prior written notice is not required for an in-kind  
3039 contribution that consists of food and beverage in an aggregate  
3040 amount not exceeding \$1,500 which is consumed at a single  
3041 sitting or event if such in-kind contribution is accepted in  
3042 advance by a person specified in sub-subparagraph a.

3043       c. A person described in sub-subparagraph a. may accept an  
3044 in-kind contribution requiring prior written notice only in a  
3045 writing that is ~~signed and~~ dated before the in-kind contribution  
3046 is made. Failure to obtain the required written acceptance of an  
3047 in-kind contribution to a state or county political party  
3048 constitutes a refusal of the contribution.

3049       d. A copy of each prior written acceptance required under  
3050 sub-subparagraph c. must be filed ~~with the division~~ at the time  
3051 the regular reports of contributions and expenditures required  
3052 under s. 106.29 are filed by the state executive committee and  
3053 county executive committee. A state executive committee and an  
3054 affiliated party committee must file with the division. A county  
3055 executive committee must file with the county's supervisor of  
3056 elections.

3057       e. An in-kind contribution may not be given to a state or  
3058 county political party unless the in-kind contribution is made



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3059 as provided in this subparagraph.

3060 Section 60. Section 106.09, Florida Statutes, is amended to  
3061 read:

3062 106.09 Cash contributions and contribution by cashier's  
3063 checks.—

3064 (1) (a) A person may not make an aggregate ~~or accept~~ a cash  
3065 contribution or contribution by means of a cashier's check to  
3066 the same candidate or committee in excess of \$50 per election.

3067 (b) A person may not accept an aggregate cash contribution  
3068 or contribution by means of a cashier's check from the same  
3069 contributor in excess of \$50 per election.

3070 (2) (a) Any person who makes or accepts a contribution in  
3071 ~~excess of \$50 in violation of subsection (1) this section~~  
3072 commits a misdemeanor of the first degree, punishable as  
3073 provided in s. 775.082 or s. 775.083.

3074 (b) Any person who knowingly and willfully makes or accepts  
3075 a contribution in excess of \$5,000 in violation of subsection  
3076 (1) this section commits a felony of the third degree,  
3077 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3078 Section 61. Paragraph (b) of subsection (1) and paragraph  
3079 (a) of subsection (2) of section 106.11, Florida Statutes, are  
3080 amended, and subsection (6) is added to that section, to read:

3081 106.11 Expenses of and expenditures by candidates and  
3082 political committees.—Each candidate and each political  
3083 committee which designates a primary campaign depository  
3084 pursuant to s. 106.021(1) shall make expenditures from funds on  
3085 deposit in such primary campaign depository only in the  
3086 following manner, with the exception of expenditures made from  
3087 petty cash funds provided by s. 106.12:



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- 3088 (1)
- 3089 (b) The checks for such account shall contain, as a
- 3090 minimum, the following information:
- 3091 1. The statement "~~Campaign Account of~~ ... (name of candidate
- 3092 or political committee)... Campaign Account."
- 3093 2. The account number and the name of the bank.
- 3094 3. The exact amount of the expenditure.
- 3095 4. The signature of the campaign treasurer or deputy
- 3096 treasurer.
- 3097 5. The exact purpose for which the expenditure is
- 3098 authorized.
- 3099 6. The name of the payee.
- 3100 (2) (a) For purposes of this section, debit cards are
- 3101 considered bank checks, if:
- 3102 1. Debit cards are obtained from the same bank that has
- 3103 been designated as the candidate's or political committee's
- 3104 primary campaign depository.
- 3105 2. Debit cards are issued in the name of the treasurer,
- 3106 deputy treasurer, or authorized user and state "~~Campaign Account~~
- 3107 ~~of~~ ... (name of candidate or political committee)... Campaign
- 3108 Account."
- 3109 3. No more than three debit cards are requested and issued.
- 3110 ~~4. Before a debit card is used, a list of all persons~~
- 3111 ~~authorized to use the card is filed with the division.~~
- 3112 ~~5. All debit cards issued to a candidate's campaign or a~~
- 3113 ~~political committee expire no later than midnight of the last~~
- 3114 ~~day of the month of the general election.~~
- 3115 4.6. The person using the debit card does not receive cash
- 3116 as part of, or independent of, any transaction for goods or



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3117 services.

3118 ~~5.7.~~ All receipts for debit card transactions contain:

3119 a. The last four digits of the debit card number.

3120 b. The exact amount of the expenditure.

3121 c. The name of the payee.

3122 d. The signature of the campaign treasurer, deputy  
3123 treasurer, or authorized user.

3124 e. The exact purpose for which the expenditure is  
3125 authorized.

3126

3127 Any information required by this subparagraph but not included  
3128 on the debit card transaction receipt may be handwritten on, or  
3129 attached to, the receipt by the authorized user before  
3130 submission to the treasurer.

3131 (6) A candidate who makes a loan to his or her campaign and  
3132 reports the loan as required by s. 106.07 may be reimbursed for  
3133 the loan at any time the campaign account has sufficient funds  
3134 to repay the loan and satisfy its other obligations.

3135 Section 62. Subsection (4) of section 106.141, Florida  
3136 Statutes, is amended to read:

3137 106.141 Disposition of surplus funds by candidates.—

3138 (4) (a) Except as provided in paragraph (b), any candidate  
3139 required to dispose of funds pursuant to this section shall, at  
3140 the option of the candidate, dispose of such funds by any of the  
3141 following means, or any combination thereof:

3142 1. Return pro rata to each contributor the funds that have  
3143 not been spent or obligated.

3144 2. Donate the funds that have not been spent or obligated  
3145 to a charitable organization or organizations that meet the



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3146 qualifications of s. 501(c)(3) of the Internal Revenue Code.

3147 3. Give ~~not more than \$10,000 of~~ the funds that have not  
3148 been spent or obligated to the political party of which such  
3149 candidate is a member, ~~except that a candidate for the Florida~~  
3150 ~~Senate may give not more than \$30,000 of such funds to the~~  
3151 ~~political party of which the candidate is a member.~~

3152 4. Give the funds that have not been spent or obligated:

3153 a. In the case of a candidate for state office, to the  
3154 state, to be deposited in either the Election Campaign Financing  
3155 Trust Fund or the General Revenue Fund, as designated by the  
3156 candidate; or

3157 b. In the case of a candidate for an office of a political  
3158 subdivision, to such political subdivision, to be deposited in  
3159 the general fund thereof.

3160 (b) Any candidate required to dispose of funds pursuant to  
3161 this section who has received contributions pursuant to ~~from~~ the  
3162 Florida Election Campaign Financing Act Trust Fund shall, after  
3163 all monetary commitments pursuant to s. 106.11(5)(b) and (c)  
3164 have been met, return all surplus campaign funds to the General  
3165 Revenue Election Campaign Financing Trust Fund.

3166 Section 63. Subsection 106.143, Florida Statutes, is  
3167 amended to read:

3168 106.143 Political advertisements circulated prior to  
3169 election; requirements.—

3170 (1)(a) Any political advertisement that is paid for by a  
3171 candidate, except a write-in candidate, and that is published,  
3172 displayed, or circulated before, or on the day of, any election  
3173 must prominently state:

3174 1. "Political advertisement paid for and approved by



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3175 ...(name of candidate)..., ...(party affiliation)..., for  
3176 ...(office sought)..."; or

3177 2. "Paid by ...(name of candidate)..., ...(party  
3178 affiliation)..., for ...(office sought)...."

3179 (b) Any political advertisement that is paid for by a  
3180 write-in candidate and that is published, displayed, or  
3181 circulated before, or on the day of, any election must  
3182 prominently state:

3183 1. "Political advertisement paid for and approved by  
3184 ...(name of candidate)..., write-in candidate, for ...(office  
3185 sought)..."; or

3186 2. "Paid by ...(name of candidate)..., write-in candidate,  
3187 for ...(office sought)...."

3188 (c)~~(b)~~ Any other political advertisement published,  
3189 displayed, or circulated before, or on the day of, any election  
3190 must prominently:

3191 1. Be marked "paid political advertisement" or with the  
3192 abbreviation "pd. pol. adv."

3193 2. State the name and address of the persons paying for  
3194 ~~sponsoring~~ the advertisement.

3195 3.~~a.~~~~(I)~~ State whether the advertisement and the cost of  
3196 production is paid for or provided in kind by or at the expense  
3197 of the entity publishing, displaying, broadcasting, or  
3198 circulating the political advertisement.~~;~~~~or~~

3199 ~~(II) State who provided or paid for the advertisement and~~  
3200 ~~cost of production, if different from the source of sponsorship.~~

3201 ~~b. This subparagraph does not apply if the source of the~~  
3202 ~~sponsorship is patently clear from the content or format of the~~  
3203 ~~political advertisement.~~



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3204           ~~(d)(e)~~ Any political advertisement made pursuant to s.  
3205 106.021(3) (d) must be marked "~~paid political advertisement~~" or  
3206 with the abbreviation "~~pd. pol. adv.~~" and must prominently state  
3207 the name and address of the political committee or political  
3208 party paying for the advertisement., "~~Paid for and sponsored by~~  
3209 ~~...(name of person paying for political advertisement)....~~  
3210 ~~Approved by ...(names of persons, party affiliation, and offices~~  
3211 ~~sought in the political advertisement)...."~~

3212           (2) Political advertisements made as in-kind contributions  
3213 from a political party must prominently state: "Paid political  
3214 advertisement paid for by in-kind by ...(name of political  
3215 party).... Approved by ...(name of person, party affiliation,  
3216 and office sought in the political advertisement)...."

3217           ~~(3)(2)~~ Any political advertisement of a candidate running  
3218 for partisan office shall express the name of the political  
3219 party of which the candidate is seeking nomination or is the  
3220 nominee. If the candidate for partisan office is running as a  
3221 candidate with no party affiliation, any political advertisement  
3222 of the candidate must state that the candidate has no party  
3223 affiliation. A candidate for nonpartisan office is prohibited  
3224 from campaigning based on party affiliation.

3225           ~~(4)(3)~~ It is unlawful for any candidate or person on behalf  
3226 of a candidate to represent that any person or organization  
3227 supports such candidate, unless the person or organization so  
3228 represented has given specific approval in writing to the  
3229 candidate to make such representation. However, this subsection  
3230 does not apply to:

3231           (a) Editorial endorsement by any newspaper, radio or  
3232 television station, or other recognized news medium.





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3233 (b) Publication by a party committee advocating the  
3234 candidacy of its nominees.

3235 ~~(5)~~(4)(a) Any political advertisement not paid for by a  
3236 candidate, including those paid for by a political party, other  
3237 than an independent expenditure, offered ~~by or~~ on behalf of a  
3238 candidate must be approved in advance by the candidate. Such  
3239 political advertisement must expressly state that the content of  
3240 the advertisement was approved by the candidate, unless the  
3241 political advertisement is published, displayed, or circulated  
3242 in compliance with subparagraph (1) (a)2., and must state who  
3243 paid for the advertisement. The candidate shall provide a  
3244 written statement of authorization to the newspaper, radio  
3245 station, television station, or other medium for each such  
3246 advertisement submitted for publication, display, broadcast, or  
3247 other distribution.

3248 (b) Any person who makes an independent expenditure for a  
3249 political advertisement shall provide a written statement that  
3250 no candidate has approved the advertisement to the newspaper,  
3251 radio station, television station, or other medium for each such  
3252 advertisement submitted for publication, display, broadcast, or  
3253 other distribution. The advertisement must also contain a  
3254 statement that no candidate has approved the advertisement.

3255 ~~(c) This subsection does not apply to campaign messages~~  
3256 ~~used by a candidate and his or her supporters if those messages~~  
3257 ~~are designed to be worn by a person.~~

3258 (6) Political advertisements paid for by a political party  
3259 or an affiliated party committee may use names and abbreviations  
3260 as registered under s. 103.081 in the disclaimer.

3261 ~~(7)~~(6) This section does not apply to novelty items having



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3262 a retail value of \$10 or less which support, but do not oppose,  
3263 a candidate or issue.

3264 (8)~~(7)~~ Any political advertisement which is published,  
3265 displayed, or produced in a language other than English may  
3266 provide the information required by this section in the language  
3267 used in the advertisement.

3268 (9)~~(8)~~ This section does not apply to any campaign message  
3269 or political advertisement used by a candidate and the  
3270 candidate's supporters or by a political committee if the  
3271 message or advertisement is:

3272 (a) Designed to be worn by a person.

3273 (b) Placed as a paid link on an Internet website, provided  
3274 the message or advertisement is no more than 200 characters in  
3275 length and the link directs the user to another Internet website  
3276 that complies with subsection (1).

3277 (c) Placed as a graphic or picture link where compliance  
3278 with the requirements of this section is not reasonably  
3279 practical due to the size of the graphic or picture link and the  
3280 link directs the user to another Internet website that complies  
3281 with subsection (1).

3282 (d) Placed at no cost on an Internet website for which  
3283 there is no cost to post content for public users.

3284 (e) Placed or distributed on an unpaid profile or account  
3285 which is available to the public without charge or on a social  
3286 networking Internet website, as long as the source of the  
3287 message or advertisement is patently clear from the content or  
3288 format of the message or advertisement. A candidate or political  
3289 committee may prominently display a statement indicating that  
3290 the website or account is an official website or account of the



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3291 candidate or political committee and is approved by the  
3292 candidate or political committee. A website or account may not  
3293 be marked as official without prior approval by the candidate or  
3294 political committee.

3295 (f) Distributed as a text message or other message via  
3296 Short Message Service, provided the message is no more than 200  
3297 characters in length or requires the recipient to sign up or opt  
3298 in to receive it.

3299 (g) Connected with or included in any software application  
3300 or accompanying function, provided that the user signs up, opts  
3301 in, downloads, or otherwise accesses the application from or  
3302 through a website that complies with subsection (1).

3303 (h) Sent by a third-party user from or through a campaign  
3304 or committee's website, provided the website complies with  
3305 subsection (1).

3306 (i) Contained in or distributed through any other  
3307 technology-related item, service, or device for which compliance  
3308 with subsection (1) is not reasonably practical due to the size  
3309 or nature of such item, service, or device as available, or the  
3310 means of displaying the message or advertisement makes  
3311 compliance with subsection (1) impracticable.

3312 (10)~~(9)~~ Any person who willfully violates any provision of  
3313 this section is subject to the civil penalties prescribed in s.  
3314 106.265.

3315 Section 64. Section 106.17, Florida Statutes, is amended to  
3316 read:

3317 106.17 Polls and surveys relating to candidacies.—Any  
3318 candidate, political committee, committee of continuous  
3319 existence, electioneering communication organization, or state



3320 or county executive committee of a political party may authorize  
3321 or conduct a political poll, survey, index, or measurement of  
3322 any kind relating to candidacy for public office so long as the  
3323 candidate, political committee, committee of continuous  
3324 existence, electioneering communication organization, or  
3325 political party maintains complete jurisdiction over the poll in  
3326 all its aspects. State and county executive committees of a  
3327 political party or an affiliated party committee may authorize  
3328 and conduct political polls for the purpose of determining the  
3329 viability of potential candidates. Such poll results may be  
3330 shared with potential candidates and expenditures incurred by  
3331 state and county executive committees for potential candidate  
3332 polls are not contributions to the potential candidates.

3333 Section 65. Subsection (4) is added to section 106.19,  
3334 Florida Statutes, to read:

3335 106.19 Violations by candidates, persons connected with  
3336 campaigns, and political committees.—

3337 (4) Except as otherwise expressly stated, the failure by a  
3338 candidate to comply with the requirements of this chapter has no  
3339 effect upon whether the candidate has qualified for the office  
3340 the candidate is seeking.

3341 Section 66. Subsections (2) and (3), paragraph (i) of  
3342 subsection (4), and subsection (5) of section 106.25, Florida  
3343 Statutes, are amended to read:

3344 106.25 Reports of alleged violations to Florida Elections  
3345 Commission; disposition of findings.—

3346 (2) The commission shall investigate all violations of this  
3347 chapter and chapter 104, but only after having received either a  
3348 sworn complaint or information reported to it under this



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3349 subsection by the Division of Elections. Such sworn complaint  
3350 must be based upon personal information or information other  
3351 than hearsay. Any person, other than the division, having  
3352 information of any violation of this chapter or chapter 104  
3353 shall file a sworn complaint with the commission. The commission  
3354 shall investigate only those alleged violations specifically  
3355 contained within the sworn complaint. If any complainant fails  
3356 to allege all violations that arise from the facts or  
3357 allegations alleged in a complaint, the commission shall be  
3358 barred from investigating a subsequent complaint from such  
3359 complainant that is based upon such facts or allegations that  
3360 were raised or could have been raised in the first complaint. If  
3361 the complaint includes allegations of violations relating to  
3362 expense items reimbursed by a candidate, committee, or  
3363 organization to the campaign account before a sworn complaint is  
3364 filed, the commission shall be barred from investigating such  
3365 allegations. Such sworn complaint shall state whether a  
3366 complaint of the same violation has been made to any state  
3367 attorney. Within 5 days after receipt of a sworn complaint, the  
3368 commission shall transmit a copy of the complaint to the alleged  
3369 violator. The respondent shall have 14 days after receipt of the  
3370 complaint to file an initial response, and the executive  
3371 director may not determine the legal sufficiency of the  
3372 complaint during that time period. If the executive director  
3373 finds that the complaint is legally sufficient, the respondent  
3374 shall be notified of such finding by letter, which sets forth  
3375 the statutory provisions alleged to have been violated and the  
3376 alleged factual basis that supports the finding. All sworn  
3377 complaints alleging violations of the Florida Election Code over



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3378 which the commission has jurisdiction shall be filed with the  
3379 commission within 2 years after the alleged violations. The  
3380 period of limitations is tolled on the day a sworn complaint is  
3381 filed with the commission. The complainant may withdraw the  
3382 sworn complaint at any time prior to a probable cause hearing if  
3383 good cause is shown. Withdrawal shall be requested in writing,  
3384 signed by the complainant, and witnessed by a notary public,  
3385 stating the facts and circumstances constituting good cause. The  
3386 executive director shall prepare a written recommendation  
3387 regarding disposition of the request which shall be given to the  
3388 commission together with the request. "Good cause" shall be  
3389 determined based upon the legal sufficiency or insufficiency of  
3390 the complaint to allege a violation and the reasons given by the  
3391 complainant for wishing to withdraw the complaint. If withdrawal  
3392 is permitted, the commission must close the investigation and  
3393 the case. No further action may be taken. The complaint will  
3394 become a public record at the time of withdrawal.

3395 (3) For the purposes of commission jurisdiction, a  
3396 violation shall mean the willful performance of an act  
3397 prohibited by this chapter or chapter 104 or the willful failure  
3398 to perform an act required by this chapter or chapter 104. The  
3399 commission may not by rule determine what constitutes  
3400 willfulness or further define the term "willful" for purposes of  
3401 this chapter or chapter 104. Willfulness is a determination of  
3402 fact; however, at the request of the respondent at any time  
3403 after probable cause is found, willfulness may be considered and  
3404 determined in an informal hearing before the commission.

3405 (4) The commission shall undertake a preliminary  
3406 investigation to determine if the facts alleged in a sworn



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3407 complaint or a matter initiated by the division constitute  
3408 probable cause to believe that a violation has occurred.

3409 (i)1. Upon a commission finding of probable cause, the  
3410 counsel for the commission shall attempt to reach a consent  
3411 agreement with the respondent. At any time, the commission may  
3412 enter into a consent order with a respondent without requiring  
3413 the respondent to admit to a violation of law within the  
3414 jurisdiction of the commission.

3415 2. A consent agreement is not binding upon either party  
3416 unless and until it is signed by the respondent and by counsel  
3417 for the commission upon approval by the commission.

3418 3. Nothing herein shall be construed to prevent the  
3419 commission from entering into a consent agreement with a  
3420 respondent prior to a commission finding of probable cause if a  
3421 respondent indicates in writing a desire to enter into  
3422 negotiations directed towards reaching such a consent agreement.  
3423 Any consent agreement reached under this subparagraph is subject  
3424 to the provisions of subparagraph 2. and shall have the same  
3425 force and effect as a consent agreement reached after the  
3426 commission finding of probable cause.

3427  
3428 In a case where probable cause is found, the commission shall  
3429 make a preliminary determination to consider the matter or to  
3430 refer the matter to the state attorney for the judicial circuit  
3431 in which the alleged violation occurred. Notwithstanding any  
3432 other provisions of this section, the commission may, at its  
3433 discretion, dismiss any complaint at any stage of disposition if  
3434 it determines that the public interest would not be served by  
3435 proceeding further, in which case the commission shall issue a



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3436 public report stating with particularity its reasons for the  
3437 dismissal.

3438 (5) ~~Unless~~ A person alleged by the Elections Commission to  
3439 have committed a violation of this chapter or chapter 104 may  
3440 elect, as a matter of right elects, within 30 days after the  
3441 date of the filing of the commission's allegations, to have a  
3442 formal administrative or informal hearing conducted ~~before the~~  
3443 ~~commission, or elects to resolve the complaint by consent order,~~  
3444 ~~such person shall be entitled to a formal administrative hearing~~  
3445 ~~conducted~~ by an administrative law judge in the Division of  
3446 Administrative Hearings. The administrative law judge in such  
3447 proceedings shall enter a final order, which may include the  
3448 imposition of civil penalties, subject to appeal as provided in  
3449 s. 120.68. If the person does not elect to have a hearing by an  
3450 administrative law judge and does not elect to resolve the  
3451 complaint by a consent order, the person is entitled to a formal  
3452 or informal hearing conducted before the commission.

3453 Section 67. Subsection (1) of section 106.26, Florida  
3454 Statutes, is amended to read:

3455 106.26 Powers of commission; rights and responsibilities of  
3456 parties; findings by commission.—

3457 (1) The commission shall, pursuant to rules adopted and  
3458 published in accordance with chapter 120, consider all sworn  
3459 complaints filed with it and all matters reported to it by the  
3460 Division of Elections. In order to carry out the  
3461 responsibilities prescribed by this chapter, the commission is  
3462 empowered to subpoena and bring before it, or its duly  
3463 authorized representatives, any person in the state, or any  
3464 person doing business in the state, or any person who has filed





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3465 or is required to have filed any application, document, papers,  
3466 or other information with an office or agency of this state or a  
3467 political subdivision thereof and to require the production of  
3468 any papers, books, or other records relevant to any  
3469 investigation, including the records and accounts of any bank or  
3470 trust company doing business in this state. Duly authorized  
3471 representatives of the commission are empowered to administer  
3472 all oaths and affirmations in the manner prescribed by law to  
3473 witnesses who shall appear before them concerning any relevant  
3474 matter. Should any witness fail to respond to the lawful  
3475 subpoena of the commission or, having responded, fail to answer  
3476 all lawful inquiries or to turn over evidence that has been  
3477 subpoenaed, the commission may file a complaint in the ~~before~~  
3478 ~~any~~ circuit court where the witness resides ~~of the state~~ setting  
3479 up such failure on the part of the witness. On the filing of  
3480 such complaint, the court shall take jurisdiction of the witness  
3481 and the subject matter of said complaint and shall direct the  
3482 witness to respond to all lawful questions and to produce all  
3483 documentary evidence in the witness's possession which is  
3484 lawfully demanded. The failure of any witness to comply with  
3485 such order of the court shall constitute a direct and criminal  
3486 contempt of court, and the court shall punish said witness  
3487 accordingly. However, the refusal by a witness to answer  
3488 inquiries or turn over evidence on the basis that such testimony  
3489 or material will tend to incriminate such witness shall not be  
3490 deemed refusal to comply with the provisions of this chapter.  
3491 The sheriffs in the several counties shall make such service and  
3492 execute all process or orders when required by the commission.  
3493 Sheriffs shall be paid for these services by the commission as



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3494 provided for in s. 30.231. Any person who is served with a  
3495 subpoena to attend a hearing of the commission also shall be  
3496 served with a general statement informing him or her of the  
3497 subject matter of the commission's investigation or inquiry and  
3498 a notice that he or she may be accompanied at the hearing by  
3499 counsel of his or her own choosing.

3500 Section 68. Subsections (1) through (4) of section 106.265,  
3501 Florida Statutes, are amended and renumbered, and present  
3502 subsection (5) of that section is renumbered as subsection (6),  
3503 to read:

3504 106.265 Civil penalties.—

3505 (1) The commission or, in cases referred to the Division of  
3506 Administrative Hearings pursuant to s. 106.25(5), the  
3507 administrative law judge is authorized upon the finding of a  
3508 violation of this chapter or chapter 104 to impose civil  
3509 penalties in the form of fines not to exceed \$1,000 per count,  
3510 or, if applicable, to impose a civil penalty as provided in s.  
3511 104.271 or s. 106.19.

3512 (2) In determining the amount of such civil penalties, the  
3513 commission or administrative law judge shall consider, among  
3514 other mitigating and aggravating circumstances:

3515 (a) The gravity of the act or omission;

3516 (b) Any previous history of similar acts or omissions;

3517 (c) The appropriateness of such penalty to the financial  
3518 resources of the person, political committee, committee of  
3519 continuous existence, electioneering communications  
3520 organization, or political party; and

3521 (d) Whether the person, political committee, committee of  
3522 continuous existence, electioneering communications



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3523 organization, or political party has shown good faith in  
3524 attempting to comply with the provisions of this chapter or  
3525 chapter 104.

3526 (3)(2) If any person, political committee, committee of  
3527 continuous existence, electioneering communications  
3528 organization, or political party fails or refuses to pay to the  
3529 commission any civil penalties assessed pursuant to the  
3530 provisions of this section, the commission shall be responsible  
3531 for collecting the civil penalties resulting from such action.

3532 (4)(3) Any civil penalty collected pursuant to the  
3533 provisions of this section shall be deposited into the General  
3534 Revenue Fund ~~Election Campaign Financing Trust Fund~~.

3535 (5)(4) ~~Notwithstanding any other provisions of this~~  
3536 ~~chapter,~~ Any fine assessed pursuant to ~~the provisions of this~~  
3537 ~~chapter shall,~~ which fine is designated to be deposited or which  
3538 ~~would otherwise~~ be deposited into the General Revenue Fund ~~of~~  
3539 ~~the state,~~ shall be deposited into the Election Campaign  
3540 Financing Trust Fund.

3541 Section 69. Subsection (1) and paragraph (b) of subsection  
3542 (3) of section 106.29, Florida Statutes, are amended to read:

3543 106.29 Reports by political parties; restrictions on  
3544 contributions and expenditures; penalties.-

3545 (1) The state executive committee and each county executive  
3546 committee of each political party regulated by chapter 103 shall  
3547 file regular reports of all contributions received and all  
3548 expenditures made by such committee. In addition, when a special  
3549 election is called to fill a vacancy in office, each state  
3550 executive committee, each affiliated party committee, and each  
3551 county executive committee making contributions or expenditures



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3552 to influence the results of the special election or the  
3553 preceding special primary election must file campaign  
3554 treasurers' reports on the dates set by the Department of State  
3555 pursuant to s. 100.111. Such reports shall contain the same  
3556 information as do reports required of candidates by s. 106.07  
3557 and shall be filed on the 10th day following the end of each  
3558 calendar quarter, except that, during the period from the last  
3559 day for candidate qualifying until the general election, such  
3560 reports shall be filed on the Friday immediately preceding each  
3561 special primary election, special election, ~~both the primary~~  
3562 election, and ~~the~~ general election. In addition to the reports  
3563 filed under this section, the state executive committee and each  
3564 county executive committee shall file a copy of each prior  
3565 written acceptance of an in-kind contribution given by the  
3566 committee during the preceding calendar quarter as required  
3567 under s. 106.08(6). Each state executive committee shall file  
3568 ~~the original and one copy of~~ its reports with the Division of  
3569 Elections. Each county executive committee shall file its  
3570 reports with the supervisor of elections in the county in which  
3571 such committee exists. Any state or county executive committee  
3572 failing to file a report on the designated due date shall be  
3573 subject to a fine as provided in subsection (3). No separate  
3574 fine shall be assessed for failure to file a copy of any report  
3575 required by this section.

3576 (3)

3577 (b) Upon determining that a report is late, the filing  
3578 officer shall immediately notify the chair of the executive  
3579 committee as to the failure to file a report by the designated  
3580 due date and that a fine is being assessed for each late day.



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3581 The fine shall be \$1,000 for a state executive committee, and  
3582 \$50 for a county executive committee, per day for each late day,  
3583 not to exceed 25 percent of the total receipts or expenditures,  
3584 whichever is greater, for the period covered by the late report.  
3585 However, if an executive committee fails to file a report on the  
3586 Friday immediately preceding the special election or general  
3587 election, the fine shall be \$10,000 per day for each day a state  
3588 executive committee is late and \$500 per day for each day a  
3589 county executive committee is late. Upon receipt of the report,  
3590 the filing officer shall determine the amount of the fine which  
3591 is due and shall notify the chair. Notice is deemed complete  
3592 upon proof of delivery of written notice to the mailing or  
3593 street address on record with the filing officer. The filing  
3594 officer shall determine the amount of the fine due based upon  
3595 the earliest of the following:

- 3596 1. When the report is actually received by such officer.
- 3597 2. When the report is postmarked.
- 3598 3. When the certificate of mailing is dated.
- 3599 4. When the receipt from an established courier company is  
3600 dated.
- 3601 5. When the electronic receipt issued pursuant to s.  
3602 106.0705 is dated.

3603  
3604 Such fine shall be paid to the filing officer within 20 days  
3605 after receipt of the notice of payment due, unless appeal is  
3606 made to the Florida Elections Commission pursuant to paragraph  
3607 (c). An officer or member of an executive committee shall not be  
3608 personally liable for such fine.

3609 Section 70. Subsection (5) of section 106.35, Florida



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3610 Statutes, is amended to read:

3611 106.35 Distribution of funds.—

3612 (5) The division shall adopt rules providing for the weekly  
3613 reports and certification and distribution of funds pursuant  
3614 thereto required by this section. Such rules shall, at a  
3615 minimum, provide ~~for:~~

3616 ~~(a) Specifications for printed campaign treasurer's reports~~  
3617 ~~outlining the format for such reports, including size of paper,~~  
3618 ~~typeface, color of print, and placement of required information~~  
3619 ~~on the form.~~

3620 ~~(b)1.~~ specifications for electronically transmitted  
3621 campaign treasurer's reports outlining communication parameters  
3622 and protocol, data record formats, and provisions for ensuring  
3623 security of data and transmission.

3624 ~~2. All electronically transmitted campaign treasurer's~~  
3625 ~~reports must also be filed in printed format. Printed format~~  
3626 ~~shall not include campaign treasurer's reports submitted by~~  
3627 ~~electronic facsimile transmission.~~

3628 Section 71. Paragraph (b) of subsection (12) of section  
3629 112.312, Florida Statutes, is amended to read:

3630 112.312 Definitions.—As used in this part and for purposes  
3631 of the provisions of s. 8, Art. II of the State Constitution,  
3632 unless the context otherwise requires:

3633 (12)

3634 (b) "Gift" does not include:

3635 1. Salary, benefits, services, fees, commissions, gifts, or  
3636 expenses associated primarily with the donee's employment,  
3637 business, or service as an officer or director of a corporation  
3638 or organization.



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3639           2. Contributions or expenditures reported pursuant to  
3640 chapter 106, contributions or expenditures reported pursuant to  
3641 federal election law, campaign-related personal services  
3642 provided without compensation by individuals volunteering their  
3643 time, or any other contribution or expenditure by a political  
3644 party.

3645           3. An honorarium or an expense related to an honorarium  
3646 event paid to a person or the person's spouse.

3647           4. An award, plaque, certificate, or similar personalized  
3648 item given in recognition of the donee's public, civic,  
3649 charitable, or professional service.

3650           5. An honorary membership in a service or fraternal  
3651 organization presented merely as a courtesy by such  
3652 organization.

3653           6. The use of a public facility or public property, made  
3654 available by a governmental agency, for a public purpose.

3655           7. Transportation provided to a public officer or employee  
3656 by an agency in relation to officially approved governmental  
3657 business.

3658           8. Gifts provided directly or indirectly by a state,  
3659 regional, or national organization which promotes the exchange  
3660 of ideas between, or the professional development of,  
3661 governmental officials or employees, and whose membership is  
3662 primarily composed of elected or appointed public officials or  
3663 staff, to members of that organization or officials or staff of  
3664 a governmental agency that is a member of that organization.

3665           Section 72. Paragraph (d) of subsection (1) of section  
3666 112.3215, Florida Statutes, is amended to read:

3667           112.3215 Lobbying before the executive branch or the



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3668 Constitution Revision Commission; registration and reporting;  
3669 investigation by commission.—

3670 (1) For the purposes of this section:

3671 (d) "Expenditure" means a payment, distribution, loan,  
3672 advance, reimbursement, deposit, or anything of value made by a  
3673 lobbyist or principal for the purpose of lobbying. The term  
3674 "expenditure" does not include contributions or expenditures  
3675 reported pursuant to chapter 106 or contributions or  
3676 expenditures reported pursuant to federal election law,  
3677 campaign-related personal services provided without compensation  
3678 by individuals volunteering their time, any other contribution  
3679 or expenditure made by or to a political party, or any other  
3680 contribution or expenditure made by an organization that is  
3681 exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4).

3682 Section 73. Subsection (1) of section 876.05, Florida  
3683 Statutes, is amended to read:

3684 876.05 Public employees; oath.—

3685 (1) All persons who now or hereafter are employed by or who  
3686 now or hereafter are on the payroll of the state, or any of its  
3687 departments and agencies, subdivisions, counties, cities, school  
3688 boards and districts of the free public school system of the  
3689 state or counties, or institutions of higher learning, ~~and all~~  
3690 ~~candidates for public office,~~ except candidates for federal  
3691 office, are required to take an oath before any person duly  
3692 authorized to take acknowledgments of instruments for public  
3693 record in the state in the following form:

3694

3695 I, . . . ., a citizen of the State of Florida and of the  
3696 United States of America, and being employed by or an officer of





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3697 .... and a recipient of public funds as such employee or  
3698 officer, do hereby solemnly swear or affirm that I will support  
3699 the Constitution of the United States and of the State of  
3700 Florida.

3701 Section 74. Section 876.07, Florida Statutes, is repealed.

3702 Section 75. If any provision of this act or its application  
3703 to any person or circumstance is held invalid, the invalidity  
3704 does not affect other provisions or applications of the act  
3705 which can be given effect without the invalid provision or  
3706 application, and to this end the provisions of this act are  
3707 severable.

3708 Section 76. Except as otherwise expressly provided in this  
3709 act, this act shall take effect upon becoming a law.

3710  
3711 ===== T I T L E A M E N D M E N T =====

3712 And the title is amended as follows:

3713 Delete everything before the enacting clause  
3714 and insert:

3715 A bill to be entitled  
3716 An act relating to elections; amending s. 97.012,  
3717 F.S.; expanding the list of responsibilities of the  
3718 Secretary of State when acting in his or her capacity  
3719 as chief election officer; amending s. 97.021, F.S.;  
3720 redefining the term "minor political party"; amending  
3721 s. 97.025, F.S.; replacing a requirement for the  
3722 Department of State to print copies of a pamphlet  
3723 containing the Election Code with a requirement that  
3724 the pamphlet be made available; amending s. 97.0575,  
3725 F.S.; requiring that third-party voter registration



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3726 organizations register with the Division of Elections  
3727 and provide the division with certain information;  
3728 requiring that the division or a supervisor of  
3729 elections make voter registration forms available to  
3730 third-party voter registration organizations;  
3731 requiring that such forms contain certain information;  
3732 requiring that the division maintain a database of  
3733 certain information; requiring supervisors of  
3734 elections to provide specified information to the  
3735 division in a format and at times required by the  
3736 division; requiring that such information be updated  
3737 and made public daily at a specified time; requiring  
3738 third-party voter registration organizations to  
3739 deliver collected voter registration applications  
3740 within a specified period; revising penalty provisions  
3741 to conform; specifying grounds for an affirmative  
3742 defense to a violation of timely submission  
3743 requirements; providing for the referral of violations  
3744 to the Attorney General; authorizing the Attorney  
3745 General to initiate a civil action; providing that an  
3746 action for relief may include a permanent or temporary  
3747 injunction, a restraining order, or any other  
3748 appropriate order; requiring that the division adopt  
3749 rules for specified purposes; providing for  
3750 retroactive application of certain requirements  
3751 applicable to third-party voter registration  
3752 organizations; deleting provisions providing for fines  
3753 to be in addition to criminal penalties; deleting  
3754 provisions providing a continuing appropriation of the



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3755 proceeds of fines; amending s. 97.071, F.S.; requiring  
3756 that voter information cards contain the address of  
3757 the polling place of the registered voter; requiring a  
3758 supervisor of elections to issue a new voter  
3759 information card to a voter upon a change in a voter's  
3760 address of legal residence or a change in a voter's  
3761 polling place address; providing instructions for  
3762 implementation by the supervisors of elections;  
3763 amending s. 97.073, F.S.; requiring a supervisor to  
3764 notify an applicant within 5 business days regarding  
3765 disposition of the voter registration applications;  
3766 amending s. 97.1031, F.S.; revising the methods by  
3767 which a person must update his or her voter  
3768 registration due to a change of address; revising  
3769 procedures for an elector to change his or her party  
3770 affiliation; requiring an elector to notify the  
3771 supervisor of elections when the elector changes his  
3772 or her name; amending s. 98.075, F.S.; revising  
3773 procedures for the removal of deceased persons and  
3774 other potentially ineligible persons from the  
3775 statewide voter registration system; amending s.  
3776 98.093, F.S.; revising requirements for the Department  
3777 of Corrections to provide the Department of State with  
3778 information relating to convicted felons; requiring  
3779 the Florida Parole Commission to regularly furnish  
3780 data to the Department of State relating to persons  
3781 who have been granted clemency; amending s. 98.0981,  
3782 F.S.; providing timeframes and formats for voting  
3783 history information to be sent by the supervisors of



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3784 elections to the department; providing timeframes and  
3785 formats for voting history information to be sent by  
3786 the department to the President of the Senate, the  
3787 Speaker of the House of Representatives, and the  
3788 respective minority leaders; requiring submission of  
3789 precinct-level information in a certain format by a  
3790 time certain; amending s. 99.012, F.S.; providing that  
3791 a person may not be qualified as a candidate for an  
3792 election or appear on the ballot unless the person  
3793 complies with certain requirements; amending s.  
3794 99.021, F.S.; revising the candidate oath requirement  
3795 for a person seeking to qualify for nomination or  
3796 election or as a candidate of a political party;  
3797 removing a requirement for the qualifying officer to  
3798 provide a printed copy of the candidate oath; removing  
3799 a requirement for taking the public employee oath;  
3800 clarifying that candidates for Unites States President  
3801 and Vice President need not subscribe certain oaths;  
3802 correcting references for other oaths; amending s.  
3803 99.061, F.S.; revising the timeframe for a candidate  
3804 to pay a qualifying fee under certain circumstances;  
3805 requiring checks to be payable as prescribed by the  
3806 filing officer; requiring signatures on certain oaths  
3807 to be verified; removing a requirement for a public  
3808 employee oath; requiring the filing of a verified  
3809 notarized financial disclosure statement; clarifying  
3810 the time for qualifying papers to be received;  
3811 providing that the qualifying officer performs a  
3812 ministerial duty only; exempting a decision by the



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3813           qualifying officer from the Administrative Procedure  
3814           Act; amending s. 99.063, F.S.; requiring a candidate's  
3815           oath to be verified; deleting a requirement for a  
3816           candidate to file a loyalty oath with the Department  
3817           of State by a certain date; amending s. 99.092, F.S.;  
3818           providing for the transfer of the election assessment  
3819           to the Elections Commission Trust Fund; amending s.  
3820           99.093, F.S.; providing for the election assessments  
3821           paid by a person seeking to qualify for a municipal  
3822           office to be forwarded by the qualifying officer to  
3823           the Florida Elections Commission; amending s. 99.095,  
3824           F.S.; allowing a candidate to obtain the required  
3825           number of signatures from any registered voter  
3826           regardless of district boundaries in a year of  
3827           apportionment; amending s. 99.097, F.S.; providing for  
3828           the Department of State to adopt rules to verify  
3829           petitions through random sampling; creating exceptions  
3830           for certain petitions from the authorization to use  
3831           random sampling to verify petitions; revising criteria  
3832           that a supervisor of elections must use to determine  
3833           whether a petition may be counted as valid; providing  
3834           that an exemption from paying fees to verify petitions  
3835           does not apply if a person has been paid to solicit  
3836           signatures; providing that contributions received  
3837           after the filing of an undue burden oath must first be  
3838           used to pay fees for verifying petitions; amending s.  
3839           100.061, F.S.; increasing the time period between a  
3840           primary election and a general election; amending s.  
3841           100.101, F.S.; conforming a provision to changes made



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3842 by the act; amending s. 100.111, F.S.; deleting  
3843 provisions relating to vacancies in a state or county  
3844 office because an incumbent qualified as a candidate  
3845 for federal office; providing for a filing officer,  
3846 rather than the Department of State, to notify a  
3847 political party that it may nominate a person for  
3848 office if certain events cause the party to have a  
3849 vacancy in nomination; revising provisions relating to  
3850 the filling of a vacancy in a nomination; deleting a  
3851 defined term; providing that a vacancy in nomination  
3852 is not created as the result of certain court orders;  
3853 amending s. 100.371, F.S.; deleting provisions  
3854 relating to a right to revoke a signature on an  
3855 initiative petition; reducing the time period for  
3856 which a signed and dated initiative petition form is  
3857 valid; requiring an initiative sponsor to submit an  
3858 initiative form to the supervisor of elections for the  
3859 county of residence of the person signing the form for  
3860 verification; providing procedures for misfiled  
3861 petitions; revising criteria for a supervisor of  
3862 elections to verify a signature on an initiative  
3863 petition form; deleting provisions relating to  
3864 petition signature revocations; amending s. 101.001,  
3865 F.S.; requiring the supervisors of elections to  
3866 provide the department with precinct data including  
3867 specified information; requiring the department to  
3868 maintain a searchable database containing certain  
3869 precinct and census block information; requiring  
3870 supervisors of elections to notify the department of



3871 precinct changes within a specified time; deleting a  
3872 waiver; amending s. 101.043, F.S.; replacing  
3873 references to the word "voter" with "elector";  
3874 providing that the address on a elector's  
3875 identification is not to be used to confirm or  
3876 challenge an elector's legal residence; amending s.  
3877 101.045, F.S.; permitting a change of residence at the  
3878 polling place for a person changing residence within a  
3879 county; providing that a person whose change of  
3880 address is from outside the county may not change his  
3881 or her legal residence at the polling place or vote a  
3882 regular ballot but may vote a provisional ballot;  
3883 amending s. 101.131, F.S.; revising procedures for the  
3884 designation of poll watchers; requiring that the  
3885 Division of Elections prescribe a form for the  
3886 designation of poll watchers; providing conditions  
3887 under which poll watchers are authorized to enter  
3888 polling areas and watch polls; requiring that a  
3889 supervisor of elections provide identification to poll  
3890 watchers by a specified period before early voting  
3891 begins; requiring that poll watchers display such  
3892 identification while in a polling place; amending s.  
3893 101.151, F.S.; authorizing the use of ballot-on-demand  
3894 technology to produce election-day ballots; deleting a  
3895 requirement that the use of such technology be  
3896 authorized in writing by the Secretary of State;  
3897 revising provisions relating to ballot headings and  
3898 the order of candidates appearing on a ballot;  
3899 amending s. 101.161, F.S.; specifying a time period to



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3900 initiate an action to challenge an amendment to the  
3901 State Constitution proposed by the Legislature;  
3902 requiring the court, including an appellate court, to  
3903 accord the case priority over other cases; requiring  
3904 the Attorney General to revise a ballot title or  
3905 ballot summary for an amendment proposed by the  
3906 Legislature under certain circumstances; requiring the  
3907 Department of State to furnish a designating number  
3908 and the revised ballot title and substance to the  
3909 supervisors of elections; providing that a defect in a  
3910 ballot title or ballot summary in an amendment  
3911 proposed by the Legislature is not grounds to remove  
3912 the amendment from the ballot; amending s. 101.5605,  
3913 F.S.; requiring an electromechanical voting system to  
3914 satisfy the standards for certification adopted by  
3915 rule of the Department of State; amending s. 101.5606,  
3916 F.S.; deleting requirements for electromechanical  
3917 voting systems to have the capability to produce  
3918 precinct totals in marked or punched form; amending s.  
3919 101.5612, F.S.; revising the sample size of  
3920 electromechanical voting systems that include the  
3921 electronic or electromechanical tabulation devices to  
3922 be tested; amending s. 101.5614, F.S.; deleting  
3923 provisions relating to the use of ballot cards and  
3924 write-in ballots or envelopes; amending s. 101.591,  
3925 F.S.; removing the audit requirement by the canvassing  
3926 board if a manual recount is undertaken; amending s.  
3927 101.62, F.S.; extending the validity of an absentee  
3928 ballot request to include all elections to the end of





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3929 the calendar year of the second ensuing regularly  
3930 scheduled general election; revising the timeframe for  
3931 supervisors to electronically update absentee ballot  
3932 request information; specifying types of elections for  
3933 which a supervisor of elections must send an absentee  
3934 ballot to uniformed services voters and overseas  
3935 voters; specifying a time period during which a  
3936 supervisor of elections must begin mailing absentee  
3937 ballots; removing requirements that an elector provide  
3938 certain information when requesting an absentee ballot  
3939 from the county supervisor of elections; amending s.  
3940 101.65, F.S.; revising the form of the instructions to  
3941 absent electors; stating that an absentee ballot is  
3942 considered illegal if the signature on the voter's  
3943 certificate does not match the signature on record;  
3944 providing instructions for updating a signature on a  
3945 voter registration application; amending s. 101.657,  
3946 F.S.; reducing the early voting period for elections  
3947 with state or federal races; removing timetables with  
3948 respect to early voting in special elections; removing  
3949 restrictions with respect to daily hours of operation  
3950 of early voting sites; authorizing a supervisor of  
3951 elections to provide early voting for elections not  
3952 held in conjunction with a state or federal election;  
3953 amending s. 101.68, F.S.; extending the time for  
3954 canvassing and processing absentee ballots to 15 days  
3955 before the election; amending s. 101.6923, F.S.;

3956 revising the form of the special absentee ballot  
3957 instructions for certain first-time voters; stating



3958 that an absentee ballot is considered illegal if the  
3959 signature on the voter's certificate does not match  
3960 the signature on record; providing instructions for  
3961 updating a signature on a voter registration  
3962 application; amending s. 101.75, F.S.; deleting a  
3963 requirement for the dates of the qualifying period for  
3964 certain municipal elections to run for no less than 14  
3965 days; amending s. 102.141, F.S.; requiring the  
3966 canvassing board to report all early voting and all  
3967 tabulated absentee results to the department by a time  
3968 certain; requiring periodic updates; amending s.  
3969 102.168, F.S.; revising provisions specifying  
3970 indispensable parties in a contest of an election;  
3971 providing that in an election contest involving the  
3972 review of a signature on an absentee ballot by a  
3973 canvassing board, a circuit court may not review or  
3974 consider evidence other than the signature on the  
3975 voter's certificate and the elector's signatures in  
3976 the registration records; providing for the reversal  
3977 of the determination by the canvassing board if the  
3978 court determines that the board abused its discretion;  
3979 amending s. 103.021, F.S.; revising a definition;  
3980 revising requirements for a minor political party to  
3981 have candidates for President and Vice-President  
3982 placed on the general election ballot; creating s.  
3983 103.095, F.S.; providing a procedure for the  
3984 registration of a minor political party; requiring the  
3985 Division of Elections to adopt rules to prescribe the  
3986 manner in which political parties may have their



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3987 filings cancelled; amending s. 103.101, F.S.; creating  
3988 a Presidential Preference Primary Date Selection  
3989 Committee; providing membership; requiring for the  
3990 committee to meet by a date certain and to set a date  
3991 for the presidential preference primary; amending s.  
3992 103.141, F.S.; revising procedures for the removal of  
3993 an officer, county committeeman, county  
3994 committeewoman, precinct committeeman, precinct  
3995 committeewoman, or member of a county executive  
3996 committee; repealing s. 103.161, F.S., which relates  
3997 to the removal or suspension of officers or members of  
3998 a state or county executive committee; amending s.  
3999 104.29, F.S.; revising provisions authorizing persons  
4000 to view whether ballots are being correctly  
4001 reconciled; amending s. 106.011, F.S.; revising the  
4002 definitions of the terms "contribution," "independent  
4003 expenditure," "unopposed candidate," and "candidate";  
4004 conforming a cross-reference to changes made by the  
4005 act; amending s. 106.021, F.S.; deleting requirements  
4006 to report the address of certain persons receiving a  
4007 reimbursement by a check drawn on a campaign account;  
4008 amending s. 106.022, F.S.; requiring a political  
4009 committee, committee of continuous existence, or  
4010 electioneering communications organization to file a  
4011 statement of appointment with the filing officer  
4012 rather than with the Division of Elections;  
4013 authorizing an entity to change its appointment of  
4014 registered agent or registered office by filing a  
4015 written statement with the filing officer; requiring a



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4016 registered agent who resigns to execute a written  
4017 statement of resignation and file it with the filing  
4018 officer; amending s. 106.023, F.S.; revising the form  
4019 of the statement of candidate to require a candidate  
4020 to acknowledge that he or she has been provided access  
4021 to and understands the requirements of ch. 106, F.S.;  
4022 amending s. 106.025, F.S.; exempting tickets or  
4023 advertising for a campaign fundraiser from  
4024 requirements of s. 106.143, F.S.; amending s. 106.03,  
4025 F.S.; revising requirements for groups making  
4026 expenditures for electioneering communications to file  
4027 a statement of organization; amending s. 106.04, F.S.;  
4028 transferring a requirement that certain committees of  
4029 continuous existence file campaign finance reports in  
4030 special elections; subjecting a committee of  
4031 continuous existence that fails to file a report or to  
4032 timely file a report with the Division of Elections or  
4033 a county or municipal filing officer to a fine;  
4034 requiring a committee of continuous existence to  
4035 include transaction information from credit card  
4036 purchases in a report filed with the Division of  
4037 Elections; requiring a committee of continuous  
4038 existence to report changes in information previously  
4039 reported to the Division of Elections within 10 days  
4040 after the change; requiring the Division of Elections  
4041 to revoke the certification of a committee of  
4042 continuous existence that fails to file or report  
4043 certain information; requiring the division to adopt  
4044 rules to prescribe the manner in which the



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4045 certification is revoked; increasing the amount of a  
4046 fine to be levied on a committee of continuous  
4047 existence that fails to timely file certain reports;  
4048 providing for the deposit of the proceeds of the  
4049 fines; including the registered agent of a committee  
4050 of continuous existence as a person whom the filing  
4051 officer may notify that a report has not been filed;  
4052 providing criteria for deeming delivery complete of a  
4053 notice of fine; requiring a committee of continuous  
4054 existence that appeals a fine to provide a copy of the  
4055 appeal with the filing officer; amending s. 106.07,  
4056 F.S.; creating an exception for reports due in the  
4057 third calendar quarter immediately preceding a general  
4058 election from a requirement that the campaign  
4059 treasurer report contributions received and  
4060 expenditures made on the 10th day following the end of  
4061 each calendar quarter; revising reporting requirements  
4062 for a statewide candidate who receives funding under  
4063 the Florida Election Campaign Financing Act and  
4064 candidates in a race with a candidate who has  
4065 requested funding under that act; deleting a  
4066 requirement for a committee of continuous existence to  
4067 file a campaign treasurer's report relating to  
4068 contributions or expenditures to influence the results  
4069 of a special election; revising the methods by which a  
4070 campaign treasurer may be notified of the  
4071 determination that a report is incomplete to include  
4072 certified mail and other methods using a common  
4073 carrier that provides proof of delivery of the notice;



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4074 extending the time the campaign treasurer has to file  
4075 an addendum to the report after receipt of notice of  
4076 why the report is incomplete; providing criteria for  
4077 deeming delivery complete of a notice of incomplete  
4078 report; deleting a provision allowing for notification  
4079 by telephone of an incomplete report; revising the  
4080 information that must be included in a report to  
4081 include transaction information for credit card  
4082 purchases; deleting a requirement for a campaign  
4083 depository to return checks drawn on the account to  
4084 the campaign treasurer; specifying the amount of a  
4085 fine for the failure to timely file reports after a  
4086 special primary election or special election;  
4087 specifying that the registered agent of a political  
4088 committee is a person whom a filing officer may notify  
4089 of the amount of the fine for filing a late report;  
4090 providing criteria for deeming delivery complete of a  
4091 notice of late report and resulting fine; amending s.  
4092 106.0703, F.S.; deleting a requirement that an  
4093 electioneering communications organization file  
4094 electronically file certain periodic reports with the  
4095 Department of State; amending s. 106.0705, F.S.;

4096 requiring certain individuals to electronically file  
4097 certain reports with the Division of Elections;  
4098 conforming a cross-reference to changes made by the  
4099 act; deleting an obsolete provision; amending s.  
4100 106.08, F.S.; deleting a requirement for the  
4101 Department of State to notify candidates as to whether  
4102 an independent or minor party candidate has obtained



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4103 the required number of petition signatures; deleting a  
4104 requirement for certain unopposed candidates to return  
4105 contributions; specifying the entities with which a  
4106 political party's state executive committee and county  
4107 executive committees and affiliated party committees  
4108 must file a written acceptance of an in-kind  
4109 contribution; amending s. 106.09, F.S.; specifying  
4110 that the limitations on contributions by cash or  
4111 cashier's check apply to the aggregate amount of  
4112 contributions to a candidate or committee per  
4113 election; amending s. 106.11, F.S.; revising the  
4114 statement that must be contained on checks from a  
4115 campaign account; deleting requirements relating to  
4116 the use of debit cards; authorizing a campaign for a  
4117 candidate to reimburse the candidate's loan to the  
4118 campaign when the campaign account has sufficient  
4119 funds; amending s. 106.141, F.S.; deleting a limit on  
4120 the amount of surplus funds that a candidate may give  
4121 to his or her political party; requiring candidates  
4122 receiving public financing to return all surplus funds  
4123 to the General Revenue Fund after paying certain  
4124 monetary obligations and expenses; amending s.  
4125 106.143, F.S.; specifying disclosure statements that  
4126 must be included in political advertisements paid for  
4127 by a write-in candidate; revising the disclosure  
4128 statements that must be included in certain political  
4129 advertisements; clarifying the type of political  
4130 advertisements that must be approved in advance by a  
4131 candidate; deleting an exemption from the requirement



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4132 to obtain a candidate's approval for messages designed  
4133 to be worn; authorizing a disclaimer for paid  
4134 political advertisements to contain certain registered  
4135 names and abbreviations; amending s. 106.17, F.S.;  
4136 providing that the cost of certain polls are not  
4137 contributions to a candidate; amending s. 106.19,  
4138 F.S.; providing that a candidate's failure to comply  
4139 with ch. 106, F.S., has no effect on whether the  
4140 candidate has qualified for office; amending s.  
4141 106.25, F.S.; authorizing a person who is the subject  
4142 of a complaint filed with the Florida Elections  
4143 Commission to file a response before the executive  
4144 director of the commission determines whether the  
4145 complaint is legally sufficient; prohibiting the  
4146 commission from determining by rule what constitutes  
4147 willfulness or defining the term "willful";  
4148 authorizing the commission to enter into consent  
4149 orders without requiring the respondent to admit to a  
4150 violation of law; authorizing an administrative law  
4151 judge to impose civil penalties for violations of ch.  
4152 104 or ch. 106, F.S.; amending s. 106.26, F.S.;  
4153 requiring the commission to enforce certain witness  
4154 subpoenas in the circuit court where the witness  
4155 resides; amending s. 106.265, F.S.; authorizing an  
4156 administrative law judge to assess civil penalties  
4157 upon a finding of a violation of the election code or  
4158 campaign financing laws; providing for civil penalties  
4159 to be assessed against an electioneering  
4160 communications organization; removing reference to the





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4161 expired Election Campaign Financing Trust Fund;  
4162 directing that moneys from penalties and fines be  
4163 deposited into the General Revenue Fund; amending s.  
4164 106.29, F.S.; requiring state and county executive  
4165 committees and affiliated party committees that make  
4166 contributions or expenditures to influence the results  
4167 of a special election or special primary election to  
4168 file campaign treasurer's reports; amending campaign  
4169 finance reporting dates, to conform; deleting a  
4170 requirement that each state executive committee file  
4171 the original and one copy of its reports with the  
4172 Division of Elections; revising the due date for  
4173 filing a report; providing criteria for deeming  
4174 delivery complete of a notice of fine; amending s.  
4175 106.35, F.S.; deleting a requirement that the Division  
4176 of Election adopt rules relating to the format and  
4177 filing of certain printed campaign treasurer's  
4178 reports; amending s. 112.312, F.S.; excluding  
4179 contributions or expenditures reported pursuant to  
4180 federal election law from the definition of the term  
4181 "gift"; amending s. 112.3215, F.S.; excluding  
4182 contributions or expenditures reported pursuant to  
4183 federal election law from the definition of the term  
4184 "expenditure"; amending s. 876.05, F.S.; deleting a  
4185 requirement for all candidates for public office to  
4186 record an oath to support the Constitution of the  
4187 United States and of the State of Florida; repealing  
4188 s. 876.07, F.S., relating to a requirement that a  
4189 person make an oath to support the Constitution of the



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4190 United States and of the State of Florida in order to  
4191 be qualified as a candidate for office; providing for  
4192 severability of the act; providing effective dates.