

By Senator Wise

5-00231-12

2012116\_\_

1                   A bill to be entitled  
2           An act relating to freeholder voting; amending s.  
3           100.241, F.S.; permitting the submission of a written  
4           declaration to establish that an elector is a  
5           freeholder and qualified to vote in an election or  
6           referendum limited to freeholders who are qualified to  
7           vote; providing penalties; providing an effective  
8           date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

11  
12           Section 1. Section 100.241, Florida Statutes, is amended to  
13   read:

14           100.241 Freeholder voting; election; penalties for  
15   ineligible persons who vote as freeholders.—

16           (1) In any election or referendum in which only electors  
17   who are freeholders are qualified to vote, the regular  
18   registration books covering the precincts located within the  
19   geographical area in which the election or referendum is to be  
20   held shall be used.

21           (2) Qualification and registration of electors  
22   participating in a freeholder ~~such an~~ election or referendum  
23   subject to this section shall be the same as prescribed for  
24   voting in other elections under this code, and, in addition,  
25   each such elector shall submit proof by affidavit made before an  
26   inspector, or submit a written declaration as provided in s.  
27   92.525, that the elector is a freeholder who is a qualified  
28   elector residing in the county, district, or municipality in  
29   which the election or referendum is to be held.

5-00231-12

2012116\_\_

30 (3) Each registered elector who makes a sworn affidavit of  
31 ownership to the inspectors, or submits a written declaration as  
32 provided in s. 92.525, giving ~~either~~ a legal description,  
33 address, or location of property in the elector's name which is  
34 not wholly exempt from taxation is ~~shall be~~ entitled to vote in  
35 the election or referendum and is ~~shall be~~ considered a  
36 freeholder.

37 (4) The actual costs of conducting a freeholder ~~such~~  
38 ~~freeholders'~~ election or referendum subject to this section  
39 shall be paid by the county, district, or municipality requiring  
40 the election or referendum ~~same to be held~~.

41 (5) ~~A It is unlawful for any person~~ may not ~~to~~ vote in any  
42 county, district, or other election or referendum which is  
43 limited to a vote of the electors who are freeholders, unless  
44 the ~~such~~ person is a freeholder and a qualified elector. A ~~Any~~  
45 person who violates ~~the provisions of~~ this subsection commits ~~is~~  
46 ~~guilty of~~ a misdemeanor of the first degree, punishable as  
47 provided in s. 775.082 or s. 775.083.

48 (6) A person who knowingly makes a false written  
49 declaration as provided in subsection (2) commits perjury by  
50 false written declaration, a felony of the third degree,  
51 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

52 Section 2. This act shall take effect July 1, 2012.