

By the Committee on Rules Subcommittee on Ethics and Elections;  
and Senator Wise

582-00562-12

2012116c1

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 an effective date.

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

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

13           100.241 Freeholder voting; election; penalties for  
14           ineligible persons who vote as freeholders.-

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

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

29           (3) Each registered elector who submits the written

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30 declaration ~~makes a sworn affidavit of ownership to the~~  
31 ~~inspectors,~~ giving either a legal description, address, or  
32 location of property in the elector's name which is not wholly  
33 exempt from taxation is ~~shall be~~ entitled to vote in the  
34 election or referendum and is ~~shall be~~ considered a freeholder.

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

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

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