

By Senator Rich

34-01279A-12

20121636

1                   A bill to be entitled  
2           An act relating to elections; amending s. 97.0575,  
3           F.S.; increasing the amount of time that third-party  
4           voter registration organizations are allowed to hold  
5           collected voter registration applications before  
6           submitting them; deleting a provision that authorizes  
7           the Secretary of State to refer matters to the  
8           Attorney General for civil action when the secretary  
9           reasonably believes that a third-party voter  
10          registration violation has occurred; amending s.  
11          100.371, F.S.; increasing the amount of time that a  
12          signature on a ballot initiative petition is valid;  
13          amending s. 101.045, F.S.; permitting an elector to  
14          vote in the precinct to which he or she has moved his  
15          or her legal residence if the elector completes a  
16          certain affirmation; amending s. 101.657, F.S.;  
17          increasing the time allowed for early voting by  
18          beginning 15 days before a state or federal election  
19          and ending on the second day before the election;  
20          providing an effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24           Section 1. Subsections (5), (6), and (7) of section  
25           97.0575, Florida Statutes, are renumbered as subsections (4),  
26           (5), and (6), respectively, and paragraph (a) of subsection (3)  
27           and present subsection (4) of that section are amended to read:  
28           97.0575 Third-party voter registrations.—  
29           (3) (a) A third-party voter registration organization that

34-01279A-12

20121636

30 collects voter registration applications serves as a fiduciary  
31 to the applicant, ensuring that any voter registration  
32 application entrusted to the organization, irrespective of party  
33 affiliation, race, ethnicity, or gender, shall be promptly  
34 delivered to the division or the supervisor of elections within  
35 10 days ~~48 hours~~ after the applicant completes it or the next  
36 ~~business day if the appropriate office is closed for that 48-~~  
37 ~~hour period.~~ If a voter registration application collected by  
38 any third-party voter registration organization is not promptly  
39 delivered to the division or supervisor of elections, the third-  
40 party voter registration organization is liable for the  
41 following fines:

42 1. A fine in the amount of \$50 for each application  
43 received by the division or the supervisor of elections more  
44 than 10 days ~~48 hours~~ after the applicant delivered the  
45 completed voter registration application to the third-party  
46 voter registration organization or any person, entity, or agent  
47 acting on its behalf ~~or the next business day, if the office is~~  
48 ~~closed.~~ A fine in the amount of \$250 for each application  
49 received if the third-party voter registration organization or  
50 person, entity, or agency acting on its behalf acted willfully.

51 2. A fine in the amount of \$100 for each application  
52 collected by a third-party voter registration organization or  
53 any person, entity, or agent acting on its behalf, before book  
54 closing for any given election for federal or state office and  
55 received by the division or the supervisor of elections after  
56 the book-closing deadline for such election. A fine in the  
57 amount of \$500 for each application received if the third-party  
58 registration organization or person, entity, or agency acting on

34-01279A-12

20121636

59 its behalf acted willfully.

60 3. A fine in the amount of \$500 for each application  
61 collected by a third-party voter registration organization or  
62 any person, entity, or agent acting on its behalf, which is not  
63 submitted to the division or supervisor of elections. A fine in  
64 the amount of \$1,000 for any application not submitted if the  
65 third-party voter registration organization or person, entity,  
66 or agency acting on its behalf acted willfully.

67  
68 The aggregate fine pursuant to this paragraph which may be  
69 assessed against a third-party voter registration organization,  
70 including affiliate organizations, for violations committed in a  
71 calendar year is \$1,000.

72 ~~(4) If the Secretary of State reasonably believes that a~~  
73 ~~person has committed a violation of this section, the secretary~~  
74 ~~may refer the matter to the Attorney General for enforcement.~~  
75 ~~The Attorney General may institute a civil action for a~~  
76 ~~violation of this section or to prevent a violation of this~~  
77 ~~section. An action for relief may include a permanent or~~  
78 ~~temporary injunction, a restraining order, or any other~~  
79 ~~appropriate order.~~

80 Section 2. Subsection (3) of section 100.371, Florida  
81 Statutes, is amended to read:

82 100.371 Initiatives; procedure for placement on ballot.—

83 (3) An initiative petition form circulated for signature  
84 may not be bundled with or attached to any other petition. Each  
85 signature shall be dated when made and shall be valid for a  
86 period of 4 ~~2~~ years following such date, provided all other  
87 requirements of law are met. The sponsor shall submit signed and

34-01279A-12

20121636\_\_

88 dated forms to the supervisor of elections for the county of  
89 residence listed by the person signing the form for verification  
90 of the number of valid signatures obtained. If a signature on a  
91 petition is from a registered voter in another county, the  
92 supervisor shall notify the petition sponsor of the misfiled  
93 petition. The supervisor shall promptly verify the signatures  
94 within 30 days after receipt of the petition forms and payment  
95 of the fee required by s. 99.097. The supervisor shall promptly  
96 record, in the manner prescribed by the Secretary of State, the  
97 date each form is received by the supervisor, and the date the  
98 signature on the form is verified as valid. The supervisor may  
99 verify that the signature on a form is valid only if:

100 (a) The form contains the original signature of the  
101 purported elector.

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

104 (c) The form sets forth the purported elector's name,  
105 address, city, county, and voter registration number or date of  
106 birth.

107 (d) The purported elector is, at the time he or she signs  
108 the form and at the time the form is verified, a duly qualified  
109 and registered elector in the state.

110  
111 The supervisor shall retain the signature forms for at least 1  
112 year following the election in which the issue appeared on the  
113 ballot or until the Division of Elections notifies the  
114 supervisors of elections that the committee that circulated the  
115 petition is no longer seeking to obtain ballot position.

116 Section 3. Subsection (2) of section 101.045, Florida

34-01279A-12

20121636\_\_

117 Statutes, is amended to read:

118 101.045 Electors must be registered in precinct; provisions  
119 for change of residence or name.—

120 (2) (a) An elector who moves from the precinct in which the  
121 elector is registered may be permitted to vote in the precinct  
122 to which he or she has moved his or her legal residence, if the  
123 ~~change of residence is within the same county and the~~ elector  
124 completes an affirmation in substantially the following form:

125  
126 Change of Legal Residence of Registered  
127 Voter  
128

129 Under penalties for false swearing, I, ...(Name of voter)...,  
130 swear (or affirm) that the former address of my legal residence  
131 was ...(Address of legal residence)... in the municipality of  
132 ....., in .... County, Florida, and I was registered to vote in  
133 the .... precinct of .... County, Florida; that I have not voted  
134 in the precinct of my former registration in this election; that  
135 I now reside at ...(Address of legal residence)... in the  
136 Municipality of ....., in .... County, Florida, and am therefore  
137 eligible to vote in the .... precinct of .... County, Florida;  
138 and I further swear (or affirm) that I am otherwise legally  
139 registered and entitled to vote.

140 ...(Signature of voter whose address of legal residence has  
141 changed)...

142 ~~(b) Except for an active uniformed services voter or a~~  
143 ~~member of his or her family, an elector whose change of address~~  
144 ~~is from outside the county may not change his or her legal~~  
145 ~~residence at the polling place and vote a regular ballot;~~

34-01279A-12

20121636\_\_

146 ~~however, such elector is entitled to vote a provisional ballot.~~

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

151  
152 Change of Name of Registered  
153 Voter  
154

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

160 Name.....  
161 Address.....  
162 Municipality.....  
163 County.....  
164 Florida, Zip.....

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

166 Name.....  
167 Address.....  
168 Municipality.....  
169 County.....  
170 Florida, Zip.....

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

173  
174 ... (Signature of voter whose name has changed) ...

34-01279A-12

20121636

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

180 (d)~~(e)~~ Such affirmation or application, when completed and  
181 presented at the precinct in which such elector is entitled to  
182 vote, and upon verification of the elector's registration, shall  
183 entitle such elector to vote as provided in this subsection. If  
184 the elector's eligibility to vote cannot be determined, he or  
185 she shall be entitled to vote a provisional ballot, subject to  
186 the requirements and procedures in s. 101.048. Upon receipt of  
187 an affirmation or application certifying a change in address of  
188 legal residence or name, the supervisor shall as soon as  
189 practicable make the necessary changes in the statewide voter  
190 registration system to indicate the change in address of legal  
191 residence or name of such elector.

192 Section 4. Paragraph (d) of subsection (1) of section  
193 101.657, Florida Statutes, is amended to read:

194 101.657 Early voting.—

195 (1)

196 (d) Early voting shall begin on the 15th ~~10th~~ day before an  
197 election that contains state or federal races and end on the 2nd  
198 ~~3rd~~ day before the election, and shall be provided for no less  
199 than 6 hours and no more than 12 hours per day at each site  
200 during the applicable period. The supervisor of elections may  
201 provide early voting for elections that are not held in  
202 conjunction with a state or federal election. However, the  
203 supervisor has the discretion to determine the hours of

34-01279A-12

20121636\_\_

204 operation of early voting sites in those elections.

205 Section 5. This act shall take effect July 1, 2012.