

HB 75

2012

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
13 to 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

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29 | which the election or referendum is to be held.

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.