

By Senator Thompson

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1 A bill to be entitled
2 An act relating to elections; providing a short title;
3 creating s. 97.029, F.S.; declaring the policy of this
4 state; requiring the Attorney General or attorney of a
5 political subdivision to petition the Florida Supreme
6 Court for review of any change in voting
7 qualifications, prerequisites, standards, practices,
8 or procedures; requiring the court to enter a judgment
9 within a specified timeframe; prohibiting the state or
10 its political subdivisions from enforcing a change in
11 voting before a judgment is entered; providing that
12 finding of a specific intent to discriminate is not
13 required to invalidate a change; providing for
14 judicial relief; providing for construction; providing
15 an effective date.

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

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19 Section 1. This act may be cited as the "Florida Voting
20 Rights Act."

21 Section 2. Section 97.029, Florida Statutes, is created to
22 read:

23 97.029 Judicial review of election procedures.—

24 (1) The Legislature declares that it is the policy of this
25 state to protect electors against discrimination based on
26 gender, race, age, income level, sexual orientation, language,
27 religion, or disability. The Legislature further declares that
28 any restriction on voting rights or any change in the standard,
29 practice, or procedure with respect to voting which would result

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30 in denying or abridging the opportunity of a protected class to
31 vote, elect a candidate of their choice, or influence the
32 outcome of an election may not be imposed by this state or its
33 political subdivisions.

34 (2) If this state or any of its political subdivisions
35 enacts or seeks to administer any voting qualification or
36 prerequisite to voting or any standard, practice, or procedure
37 with respect to voting which is different from the
38 qualification, prerequisite, standard, practice, or procedure in
39 force or effect on July 1, 2014, the Attorney General shall
40 petition the Florida Supreme Court for a declaratory judgment
41 within 30 days to determine if such change will have the effect
42 of denying or abridging the right to vote in contravention of
43 the rights established in subsection (1). For changes to
44 procedures limited to a county or municipality, the attorney for
45 the respective political subdivision shall petition the court.

46 (a) The court shall allow adversary interests to present
47 their views and, within 45 days after the filing of the
48 petition, shall enter its judgment. The change in qualification,
49 prerequisite, standard, practice, or procedure may not be
50 enforced or administered until the court has entered a judgment
51 finding compliance with this section.

52 (b) Proof of a specific intent of an official to
53 discriminate against a protected class of electors based on the
54 factors enumerated in subsection (1) is not required in order to
55 invalidate a qualification, prerequisite, standard, practice, or
56 procedure.

57 (c) Changes to election standards subject to review by the
58 court include, but are not limited to, redistricting plans,

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59 early voting, absentee voting, provisional ballots, poll worker
60 hiring and training, list maintenance, and voter registration.

61 (3) An affected party, including an organization on behalf
62 of such party, may bring an action to enforce the provisions of
63 this section.

64 (4) This section does not supersede or impair any federal
65 or state law providing for expanded voting rights.

66 Section 3. This act shall take effect upon becoming a law.