

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Davis offered the following:

**Amendment (with title amendment)**

Remove lines 1077-1141 and insert:

(2) (a) Any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except as provided in ss. 101.6105-101.694, including supervised voting at assisted living facilities and nursing home facilities as authorized under s. 101.655, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

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14           (b) Any person who in bad faith or with the intent to  
15 commit fraud distributes, orders, requests, collects, delivers,  
16 or otherwise physically possesses more than two vote-by-mail  
17 ballots per election in addition to his or her own ballot or a  
18 ballot belonging to an immediate family member, except as  
19 provided in ss. 101.6105-101.694, including supervised voting at  
20 assisted living facilities and nursing home facilities as  
21 authorized under s. 101.655, commits a felony of the third  
22 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
23 775.084.

24           Section 27. Subsection (2) of section 104.185, Florida  
25 Statutes, is amended to read:

26           104.185 Petitions; knowingly signing more than once;  
27 signing another person's name or a fictitious name.—

28           (2) A person who signs another person's name or a  
29 fictitious name to any petition to secure ballot position for a  
30 candidate, a minor political party, or an issue commits a felony  
31 ~~misdemeanor~~ of the third first degree, punishable as provided in  
32 s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

33           Section 28. Section 104.186, Florida Statutes, is amended  
34 to read:

35           104.186 Initiative petitions; violations.—A person who  
36 compensates a petition circulator as defined in s. 97.021 based  
37 on the number of petition forms gathered commits a felony  
38 ~~misdemeanor~~ of the third first degree, punishable as provided in

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39 s. 775.082, ~~or~~ s. 775.083, or s. 775.084. This section does not  
40 prohibit employment relationships that do not base payment on  
41 the number of signatures collected.

42 Section 29. Subsection (2) of section 124.011, Florida  
43 Statutes, is amended to read:

44 124.011 Alternate procedure for the election of county  
45 commissioners to provide for single-member representation;  
46 applicability.—

47 (2) (a) All commissioners shall be elected for 4-year terms  
48 which shall be staggered so that, alternately, one more or one  
49 less than half of the commissioners elected from residence areas  
50 and, if applicable, one of the commissioners elected at large  
51 from the entire county are elected every 2 years, except that  
52 any commissioner may be elected to an initial term of less than  
53 4 years if necessary to achieve or maintain such system of  
54 staggered terms. Notwithstanding any law to the contrary, at the  
55 general election immediately following redistricting directed by  
56 s. 1(e), Art. VIII of the State Constitution, each commissioner  
57 elected only by electors who reside in the district must be  
58 elected and terms thereafter shall be staggered as provided in  
59 s. 100.041.

60 (b) The term of a commissioner elected under paragraph (a)  
61 commences on the second Tuesday after such election.

62 (c) This subsection does not apply to:

63 1. Miami-Dade County.

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- 64        2. Any noncharter county.
- 65        3. Any county the charter of which limits the number of
- 66 terms a commissioner may serve.
- 67        4. Any county in which voters have never approved a
- 68 charter amendment limiting the number of terms a commissioner
- 69 may serve regardless of subsequent judicial nullification.

70        Section 30. Paragraph (a) of subsection (3) of section  
71 921.0022, Florida Statutes, is amended to read:

72        921.0022 Criminal Punishment Code; offense severity  
73 ranking chart.—

- 74        (3) OFFENSE SEVERITY RANKING CHART
- 75        (a) LEVEL 1

Florida Statute	Felony Degree	Description
24.118(3) (a)	3rd	Counterfeit or altered state lottery ticket.
<u>104.0616(2) (b)</u>	<u>3rd</u>	<u>Unlawfully distributing,</u> <u>ordering, requesting,</u> <u>collecting, delivering, or</u> <u>possessing vote-by-mail</u> <u>ballots.</u>

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**T I T L E   A M E N D M E N T**

Remove line 112 and insert:  
104.0616, F.S.; providing criminal penalties for