



824268

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2022	.	
	.	
	.	
	.	

The Committee on Appropriations (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 15.21, Florida Statutes, is amended to
read:

15.21 Initiative petitions; s. 3, Art. XI, State
Constitution.—

(1) The Secretary of State shall immediately submit an
initiative petition to the Attorney General if the sponsor has:



824268

11 (a)~~(1)~~ Registered as a political committee pursuant to s.
12 106.03;

13 (b)~~(2)~~ Submitted the ballot title, substance, and text of
14 the proposed revision or amendment to the Secretary of State
15 pursuant to ss. 100.371 and 101.161; and

16 (c)~~(3)~~ Obtained a letter from the Division of Elections
17 confirming that the sponsor has submitted to the appropriate
18 supervisors for verification, and the supervisors have verified,
19 forms signed and dated equal to 25 percent of the number of
20 electors statewide required by s. 3, Art. XI of the State
21 Constitution in one-half of the congressional districts of the
22 state.

23 (2) If the Secretary of State has submitted an initiative
24 petition to the Attorney General pursuant to subsection (1) but
25 the validity of the signatures for such initiative petition have
26 expired pursuant to s. 100.371(11)(a) before securing ballot
27 placement, the Secretary of State must promptly notify the
28 Attorney General. The Secretary of State may resubmit the
29 initiative petition to the Attorney General if the initiative
30 petition is later circulated for placement on the ballot of a
31 subsequent general election and the criteria under subsection
32 (1) are satisfied.

33 Section 2. Subsection (4) is added to section 16.061,
34 Florida Statutes, to read:

35 16.061 Initiative petitions.—

36 (4) If the Attorney General is notified by the Secretary of
37 State pursuant to s. 15.21(2) that an initiative petition no
38 longer qualifies for ballot placement for the ensuing general
39 election, the Attorney General must withdraw his or her request



824268

40 for an advisory opinion if the Supreme Court has not yet
41 fulfilled that request. If the Secretary of State subsequently
42 resubmits the initiative petition if the criteria in s. 15.21(1)
43 are again satisfied and the court has not issued its advisory
44 opinion, the Attorney General must file a new petition seeking
45 such advisory opinion.

46 Section 3. Section 97.022, Florida Statutes, is created to
47 read:

48 97.022 Office of Election Crimes and Security; creation;
49 purpose and duties.—

50 (1) The Office of Election Crimes and Security is created
51 within the Department of State. The purpose of the office is to
52 aid the Secretary of State in completion of his or her duties
53 under s. 97.012(12) and (15) by:

54 (a) Receiving and reviewing notices and reports generated
55 by government officials or any other person regarding alleged
56 occurrences of election law violations or election
57 irregularities in this state.

58 (b) Initiating independent inquiries and conducting
59 preliminary investigations into allegations of election law
60 violations or election irregularities in this state.

61 (2) The office may review complaints and conduct
62 preliminary investigations into alleged violations of the
63 Florida Election Code or any rule adopted pursuant thereto and
64 any election irregularities.

65 (3) The secretary shall appoint a director of the office.

66 (4) The office shall be based in Tallahassee and shall
67 employ nonsworn investigators to conduct any investigations. The
68 positions and resources necessary for the office to accomplish



69 its duties shall be established through and subject to the
70 legislative appropriations process.

71 (5) The office shall oversee the department's voter fraud
72 hotline.

73 (6) This section does not limit the jurisdiction of any
74 other office or agency of the state empowered by law to
75 investigate, act upon, or dispose of alleged election law
76 violations.

77 (7) By January 15 of each year, the department shall submit
78 a report to the Governor, the President of the Senate, and the
79 Speaker of the House of Representatives detailing information on
80 investigations of alleged election law violations or election
81 irregularities conducted during the prior calendar year. The
82 report must include the total number of complaints received and
83 independent investigations initiated and the number of
84 complaints referred to another agency for further investigation
85 or prosecution, including the total number of those matters sent
86 to a special officer pursuant to s. 102.091. For each alleged
87 violation or irregularity investigated, the report must include:

88 (a) The source of the alleged violation or irregularity;

89 (b) The law allegedly violated or the nature of the
90 irregularity reported;

91 (c) The county in which the alleged violation or
92 irregularity occurred;

93 (d) Whether the alleged violation or irregularity was
94 referred to another agency for further investigation or
95 prosecution, and if so, to which agency; and

96 (e) The current status of the investigation or resulting
97 criminal case.



824268

98 Section 4. Section 97.0291, Florida Statutes, is amended to
99 read:

100 97.0291 Prohibition on use of private funds for election-
101 related expenses.—No agency or state or local official
102 responsible for conducting elections, including, but not limited
103 to, a supervisor of elections, may solicit, accept, use, or
104 dispose of any donation in the form of money, grants, property,
105 or personal services from an individual or a nongovernmental
106 entity for the purpose of funding any type of election-related
107 expenses related to election administration, including, but not
108 limited to, ~~or~~ voter education, voter outreach, voter ~~or~~
109 registration programs, or the cost of any litigation related to
110 election administration. This section does not prohibit the
111 donation and acceptance of space to be used for a polling room
112 or an early voting site.

113 Section 5. Subsection (13) of section 97.057, Florida
114 Statutes, is amended to read:

115 97.057 Voter registration by the Department of Highway
116 Safety and Motor Vehicles.—

117 (13) The Department of Highway Safety and Motor Vehicles
118 must assist the Department of State in regularly identifying
119 changes in residence address on the driver license or
120 identification card of a voter. The Department of State must
121 report each such change to the appropriate supervisor of
122 elections who must change the voter's registration records in
123 accordance with s. 98.065(5) ~~s. 98.065(4)~~.

124 Section 6. Present subsections (4) through (7) of section
125 97.0575, Florida Statutes, are redesignated as subsections (5)
126 through (8), respectively, a new subsection (4) is added to that



824268

127 section, and paragraph (a) of subsection (3) of that section is
128 amended, to read:

129 97.0575 Third-party voter registrations.—

130 (3) (a) A third-party voter registration organization that
131 collects voter registration applications serves as a fiduciary
132 to the applicant, ensuring that any voter registration
133 application entrusted to the organization, irrespective of party
134 affiliation, race, ethnicity, or gender, must be promptly
135 delivered to the division or the supervisor of elections in the
136 county in which the applicant resides within 14 days after the
137 application was completed by the applicant, but not after
138 registration closes for the next ensuing election. A third-party
139 voter registration organization must notify the applicant at the
140 time the application is collected that the organization might
141 not deliver the application to the division or the supervisor of
142 elections in the county in which the applicant resides in less
143 than 14 days or before registration closes for the next ensuing
144 election and must advise the applicant that he or she may
145 deliver the application in person or by mail. The third-party
146 voter registration organization must also inform the applicant
147 how to register online with the division and how to determine
148 whether the application has been delivered. If a voter
149 registration application collected by any third-party voter
150 registration organization is not promptly delivered to the
151 division or supervisor of elections in the county in which the
152 applicant resides, the third-party voter registration
153 organization is liable for the following fines:

154 1. A fine in the amount of \$50 for each application
155 received by the division or the supervisor of elections in the



156 county in which the applicant resides more than 14 days after
157 the applicant delivered the completed voter registration
158 application to the third-party voter registration organization
159 or any person, entity, or agent acting on its behalf. A fine in
160 the amount of \$250 for each application received if the third-
161 party voter registration organization or person, entity, or
162 agency acting on its behalf acted willfully.

163 2. A fine in the amount of \$100 for each application
164 collected by a third-party voter registration organization or
165 any person, entity, or agent acting on its behalf, before book
166 closing for any given election for federal or state office and
167 received by the division or the supervisor of elections in the
168 county in which the applicant resides after the book-closing
169 deadline for such election. A fine in the amount of \$500 for
170 each application received if the third-party registration
171 organization or person, entity, or agency acting on its behalf
172 acted willfully.

173 3. A fine in the amount of \$500 for each application
174 collected by a third-party voter registration organization or
175 any person, entity, or agent acting on its behalf, which is not
176 submitted to the division or supervisor of elections in the
177 county in which the applicant resides. A fine in the amount of
178 \$1,000 for any application not submitted if the third-party
179 voter registration organization or person, entity, or agency
180 acting on its behalf acted willfully.

181
182 The aggregate fine pursuant to this paragraph which may be
183 assessed against a third-party voter registration organization,
184 including affiliate organizations, for violations committed in a



824268

185 calendar year is \$50,000 ~~\$1,000~~.

186 (4) If a person collecting voter registration applications
187 on behalf of a third-party voter registration organization
188 alters the voter registration application of any other person,
189 without the other person's knowledge and consent, in violation
190 of s. 104.012(4) and is subsequently convicted of such offense,
191 the applicable third-party voter registration organization is
192 liable for a fine in the amount of \$1,000 for each application
193 altered.

194 Section 7. Present subsections (3) through (6) of section
195 98.065, Florida Statutes, are redesignated as subsections (4)
196 through (7), respectively, a new subsection (3) is added to that
197 section, and subsection (2) and present subsections (3), (4),
198 and (5) of that section are amended, to read:

199 98.065 Registration list maintenance programs.—

200 (2) A supervisor must incorporate one or more of the
201 following procedures in the supervisor's annual ~~biennial~~
202 registration list maintenance program under which the supervisor
203 shall:

204 (a) Use change-of-address information supplied by the
205 United States Postal Service through its licensees ~~is used~~ to
206 identify registered voters whose addresses might have changed.
207 Additionally, in odd-numbered years, unless the supervisor is
208 conducting the procedure specified in paragraph (b), the
209 supervisor must identify change-of-address information from
210 returned nonforwardable return-if-undeliverable address
211 confirmation requests mailed to all registered voters who have
212 not voted in the preceding 3 years and who have not made a
213 written request that their registration records be updated



824268

214 during that time; or

215 (b) Identify change-of-address information ~~is identified~~
216 from returned nonforwardable return-if-undeliverable mail sent
217 to all registered voters in the county; ~~or~~

218 ~~(c) Change-of-address information is identified from~~
219 ~~returned nonforwardable return-if-undeliverable address~~
220 ~~confirmation requests mailed to all registered voters who have~~
221 ~~not voted in the last 2 years and who did not make a written~~
222 ~~request that their registration records be updated during that~~
223 ~~time.~~

224 (3) Address confirmation requests sent pursuant to
225 paragraph (2) (a) and mail sent pursuant to paragraph (2) (b) must
226 be addressed to the voter's address of legal residence, not
227 including voters temporarily residing outside the county and
228 registered in the precinct designated by the supervisor pursuant
229 to s. 101.045(1). If a request is returned as undeliverable, any
230 other notification sent to the voter pursuant to subsection (5)
231 or s. 98.0655 must be addressed to the voter's mailing address
232 on file, if any, in addition to any residence address on file.

233 (4) A registration list maintenance program must be
234 conducted by each supervisor, at a minimum, once ~~in~~ each ~~odd-~~
235 ~~numbered~~ year and must be completed not later than 90 days
236 before ~~prior to~~ the date of any federal election. All list
237 maintenance actions associated with each voter must be entered,
238 tracked, and maintained in the statewide voter registration
239 system.

240 (5) (a) ~~(4) (a)~~ If the supervisor receives change-of-address
241 information pursuant to the activities conducted in subsection
242 (2), from jury notices signed by the voter and returned to the



243 courts, from the Department of Highway Safety and Motor
244 Vehicles, or from other sources which indicates that a
245 registered voter's legal residence might have changed to another
246 location within the state, the supervisor must change the
247 registration records to reflect the new address and must send
248 the voter an address change notice as provided in s. 98.0655(2).

249 (b) If the supervisor of elections receives change-of-
250 address information pursuant to the activities conducted in
251 subsection (2), from jury notices signed by the voter and
252 returned to the courts, or from other sources which indicates
253 that a registered voter's legal residence might have changed to
254 a location outside the state, the supervisor of elections shall
255 send an address confirmation final notice to the voter as
256 provided in s. 98.0655(3).

257 (c) If an address confirmation request required by
258 paragraph (2)(a) is returned as undeliverable without indication
259 of an address change, or there is no response from the voter
260 within 30 days, or if any other nonforwardable return-if-
261 undeliverable mail is returned as undeliverable with no
262 indication of an address change, the supervisor shall send an
263 address confirmation final notice to all addresses on file for
264 the voter.

265 (d) The supervisor must designate as inactive all voters
266 who have been sent an address confirmation final notice and who
267 have not returned the postage prepaid, preaddressed return form
268 within 30 days or for which the final notice has been returned
269 as undeliverable. Names on the inactive list may not be used to
270 calculate the number of signatures needed on any petition. A
271 voter on the inactive list may be restored to the active list of



824268

272 voters upon the voter updating his or her registration and
273 confirming his or her current legal residence address,
274 requesting a vote-by-mail ballot and confirming his or her
275 current legal residence address, or appearing to vote and
276 confirming his or her current legal residence address. However,
277 if the voter does not update his or her voter registration
278 information, request a vote-by-mail ballot, or vote by the
279 second general election after being placed on the inactive list,
280 the voter's name shall be removed from the statewide voter
281 registration system and the voter shall be required to
282 reregister to have his or her name restored to the statewide
283 voter registration system.

284 (6) ~~(5)~~ A notice may not be issued pursuant to this section
285 and a voter's name may not be removed from the statewide voter
286 registration system later than 90 days prior to the date of a
287 federal election. However, this section does not preclude the
288 correction of registration records based on information
289 submitted by the voter or removal of the name of a voter from
290 the statewide voter registration system at any time upon the
291 voter's written request, by reason of the voter's death, or upon
292 a determination of the voter's ineligibility as provided in s.
293 98.075(7).

294 Section 8. Subsections (1) and (3) of section 98.0655,
295 Florida Statutes, are amended to read:

296 98.0655 Registration list maintenance forms.—The department
297 shall prescribe registration list maintenance forms to be used
298 by the supervisors which must include:

299 (1) An address confirmation request that must contain:

300 (a) The voter's name and address of legal residence as



824268

301 shown on the voter registration record; ~~and~~

302 (b) A request that the voter notify the supervisor if
303 either the voter's name or address of legal residence is
304 incorrect;

305 (c) If the address confirmation request is required by s.
306 98.065(2)(a), a statement that if the voter has not changed his
307 or her legal residence or has changed his or her legal residence
308 within the state, the voter should return the form within 30
309 days after the date on which the notice was sent to the voter;
310 and

311 (d) Information about updating voter information through
312 the online voter registration system.

313 (3) An address confirmation final notice that must be sent
314 to the newly recorded address of legal residence, or to all
315 addresses on file for the voter if no indication of new address
316 has been received, by forwardable mail and must contain a
317 postage prepaid, preaddressed return form and a statement that:

318 (a) If the voter has not changed his or her legal residence
319 or has changed his or her legal residence within the state, the
320 voter should return the form within 30 days after the date on
321 which the notice was sent to the voter.

322 (b) If the voter has changed his or her legal residence to
323 a location outside the state:

324 1. The voter shall return the form, which serves as a
325 request to be removed from the registration books; and

326 2. The voter shall be provided with information on how to
327 register in the new jurisdiction in order to be eligible to
328 vote.

329 (c) If the return form is not returned, the voter's name



824268

330 shall be designated as inactive in the statewide voter
331 registration system, and confirmation of the voter's address of
332 legal residence may be required before the voter is authorized
333 to vote in an election.

334 Section 9. Paragraph (a) of subsection (3) of section
335 98.075, Florida Statutes, is amended to read:

336 98.075 Registration records maintenance activities;
337 ineligibility determinations.—

338 (3) DECEASED PERSONS.—

339 (a)1. The department shall identify those registered voters
340 who are deceased by comparing information received from ~~either~~:

341 a. The Department of Health as provided in s. 98.093; ~~or~~

342 b. The United States Social Security Administration,
343 including, but not limited to, any master death file or index
344 compiled by the United States Social Security Administration; or

345 c. The Department of Highway Safety and Motor Vehicles.

346 2. Within 7 days after receipt of such information through
347 the statewide voter registration system, the supervisor shall
348 remove the name of the registered voter.

349 Section 10. Section 98.093, Florida Statutes, is amended to
350 read:

351 98.093 Duty of officials to furnish information relating to
352 deceased persons, persons adjudicated mentally incapacitated,
353 ~~and~~ persons convicted of a felony, and persons who are not
354 United States citizens.—

355 (1) In order to identify ineligible registered voters and
356 maintain accurate and current voter registration records in the
357 statewide voter registration system pursuant to procedures in s.
358 98.065 or s. 98.075, it is necessary for the department and



824268

359 supervisors of elections to receive or access certain
360 information from state and federal officials and entities in the
361 format prescribed.

362 (2) To the maximum extent feasible, state and local
363 government agencies shall facilitate provision of information
364 and access to data to the department, including, but not limited
365 to, databases that contain reliable criminal records and records
366 of deceased persons. State and local government agencies that
367 provide such data shall do so without charge if the direct cost
368 incurred by those agencies is not significant.

369 (a) The Department of Health shall furnish monthly to the
370 department a list containing the name, address, date of birth,
371 date of death, social security number, race, and sex of each
372 deceased person 17 years of age or older.

373 (b) Each clerk of the circuit court shall furnish monthly
374 to the department:

375 1. A list of those persons who have been adjudicated
376 mentally incapacitated with respect to voting during the
377 preceding calendar month, a list of those persons whose mental
378 capacity with respect to voting has been restored during the
379 preceding calendar month, and a list of those persons who have
380 returned signed jury notices during the preceding months to the
381 clerk of the circuit court indicating a change of address. Each
382 list shall include the name, address, date of birth, race, sex,
383 and, whichever is available, the Florida driver license number,
384 Florida identification card number, or social security number of
385 each such person.

386 2. Information on the terms of sentence for felony
387 convictions, including any financial obligations for court



824268

388 costs, fees, and fines, of all persons listed in the clerk's
389 records whose last known address in the clerk's records is
390 within this state and who have been convicted of a felony during
391 the preceding month. The information may be provided directly by
392 individual clerks of the circuit court or may be provided on
393 their behalf through the Comprehensive Case Information System.

394 For each felony conviction reported, the information must
395 include:

396 a. The full name, last known address, date of birth, race,
397 sex, and, if available, the Florida driver license number,
398 Florida identification card number, and social security number
399 of the person convicted.

400 b. The amounts of all financial obligations, including
401 restitution and court costs, fees, and fines, and, if known, the
402 amount of financial obligations not yet satisfied.

403 c. The county in which the conviction occurred.

404 d. The statute number violated, statute table text, date of
405 conviction, and case number.

406 (c) Upon receipt of information from the United States
407 Attorney, listing persons convicted of a felony in federal
408 court, the department shall use such information to identify
409 registered voters or applicants for voter registration who may
410 be potentially ineligible based on information provided in
411 accordance with s. 98.075.

412 (d) The Department of Law Enforcement shall identify those
413 persons who have been convicted of a felony who appear in the
414 voter registration records supplied by the statewide voter
415 registration system, in a time and manner that enables the
416 department to meet its obligations under state and federal law.



824268

417 (e) The Florida Commission on Offender Review shall furnish
418 at least bimonthly to the department data, including the
419 identity of those persons granted clemency in the preceding
420 month or any updates to prior records which have occurred in the
421 preceding month. The data shall contain the commission's case
422 number and the person's name, address, date of birth, race,
423 gender, Florida driver license number, Florida identification
424 card number, or the last four digits of the social security
425 number, if available, and references to record identifiers
426 assigned by the Department of Corrections and the Department of
427 Law Enforcement, a unique identifier of each clemency case, and
428 the effective date of clemency of each person.

429 (f) The Department of Corrections shall identify those
430 persons who have been convicted of a felony and committed to its
431 custody or placed on community supervision. The information must
432 be provided to the department at a time and in a manner that
433 enables the department to identify registered voters who are
434 convicted felons and to meet its obligations under state and
435 federal law.

436 (g) The Department of Highway Safety and Motor Vehicles
437 shall furnish monthly to the department:

438 1. A list of those persons whose names have been removed
439 from the driver license database because they have been licensed
440 in another state. The list must ~~shall~~ contain the name, address,
441 date of birth, sex, social security number, and driver license
442 number of each such person.

443 2. A list of those persons who presented evidence of non-
444 United States citizenship upon being issued a new or renewed
445 Florida driver license or Florida identification card. The list



446 must contain the name; address; date of birth; social security
447 number, if applicable; and Florida driver license number or
448 Florida identification card number, as applicable, of each such
449 person.

450 (3) This section does not limit or restrict the supervisor
451 in his or her duty to remove the names of persons from the
452 statewide voter registration system pursuant to s. 98.075(7)
453 based upon information received from other sources.

454 Section 11. Paragraph (a) of subsection (2) of section
455 100.041, Florida Statutes, is amended to read:

456 100.041 Officers chosen at general election.—

457 (2) (a) Except as provided in s. 124.011 relating to single
458 member districts after decennial redistricting, each county
459 commissioner from an odd-numbered district shall be elected at
460 the general election in each year the number of which is a
461 multiple of 4, for a 4-year term commencing on the second
462 Tuesday following such election, and each county commissioner
463 from an even-numbered district shall be elected at the general
464 election in each even-numbered year the number of which is not a
465 multiple of 4, for a 4-year term commencing on the second
466 Tuesday following such election. A county commissioner is
467 “elected” for purposes of this paragraph on the date that the
468 county canvassing board certifies the results of the election
469 pursuant to s. 102.151.

470 Section 12. Paragraphs (a) and (c) of subsection (11) and
471 paragraph (a) of subsection (13) of section 100.371, Florida
472 Statutes, are amended to read:

473 100.371 Initiatives; procedure for placement on ballot.—

474 (11) (a) An initiative petition form circulated for



824268

475 signature may not be bundled with or attached to any other
476 petition. Each signature shall be dated when made and shall be
477 valid until the next February 1 occurring in an even-numbered
478 year for the purpose of the amendment appearing on the ballot
479 for the general election occurring in that same year, provided
480 all other requirements of law are met. The sponsor shall submit
481 signed and dated forms to the supervisor of elections for the
482 county of residence listed by the person signing the form for
483 verification of the number of valid signatures obtained. If a
484 signature on a petition is from a registered voter in another
485 county, the supervisor shall notify the petition sponsor of the
486 misfiled petition. The supervisor shall promptly verify the
487 signatures within 60 days after receipt of the petition forms
488 and payment of a fee for the actual cost of signature
489 verification incurred by the supervisor. However, for petition
490 forms submitted less than 60 days before February 1 of an even-
491 numbered year, the supervisor shall promptly verify the
492 signatures within 30 days after receipt of the form and payment
493 of the fee for signature verification. The supervisor shall
494 promptly record, in the manner prescribed by the Secretary of
495 State, the date each form is received by the supervisor, and the
496 date the signature on the form is verified as valid. The
497 supervisor may verify that the signature on a form is valid only
498 if:

- 499 1. The form contains the original signature of the
500 purported elector.
- 501 2. The purported elector has accurately recorded on the
502 form the date on which he or she signed the form.
- 503 3. The form sets forth the purported elector's name,



824268

504 address, city, county, and voter registration number or date of
505 birth.

506 4. The purported elector is, at the time he or she signs
507 the form and at the time the form is verified, a duly qualified
508 and registered elector in the state.

509 5. The signature was obtained legally, including that if a
510 paid petition circulator was used, the circulator was validly
511 registered under subsection (3) when the signature was obtained.

512
513 The supervisor shall retain all the signature forms, separating
514 forms verified as valid from those deemed invalid, for at least
515 1 year following the election for in which the petition was
516 circulated ~~issue appeared on the ballot or until the division~~
517 ~~notifies the supervisors of elections that the committee that~~
518 ~~circulated the petition is no longer seeking to obtain ballot~~
519 ~~position.~~

520 (c) On the last day of each month, or on the last day of
521 each week from December 1 of an odd-numbered year through
522 February 1 of the following year, each supervisor shall post on
523 his or her website the total number of signatures submitted, the
524 total number of invalid signatures, the total number of
525 signatures processed, and the aggregate number of verified valid
526 signatures and the distribution of such signatures by
527 congressional district for each proposed amendment proposed by
528 initiative, along with the following information specific to the
529 reporting period: the total number of signed petition forms
530 received, the total number of signatures verified, the
531 distribution of verified valid signatures by congressional
532 district, and the total number of verified petition forms



533 forwarded to the Secretary of State.

534 (13) (a) At the same time the Secretary of State submits an
535 initiative petition to the Attorney General pursuant to s.
536 15.21, the secretary shall submit a copy of the initiative
537 petition to the Financial Impact Estimating Conference. Within
538 75 days after receipt of a proposed revision or amendment to the
539 State Constitution by initiative petition from the Secretary of
540 State, the Financial Impact Estimating Conference shall complete
541 an analysis and financial impact statement to be placed on the
542 ballot of the estimated increase or decrease in any revenues or
543 costs to state or local governments and the overall impact to
544 the state budget resulting from the proposed initiative. The 75-
545 day time limit is tolled when the Legislature is in session. The
546 Financial Impact Estimating Conference shall submit the
547 financial impact statement to the Attorney General and Secretary
548 of State. If the initiative petition has been submitted to the
549 Financial Impact Estimating Conference but the validity of
550 signatures has expired and the initiative petition no longer
551 qualifies for ballot placement at the ensuing general election,
552 the Secretary of State must notify the Financial Impact
553 Estimating Conference. The Financial Impact Estimating
554 Conference is not required to complete an analysis and financial
555 impact statement for an initiative petition that fails to meet
556 the requirements of subsection (1) for placement on the ballot
557 before the 75-day time limit, including any tolling period,
558 expires. The initiative petition may be resubmitted to the
559 Financial Impact Estimating Conference if the initiative
560 petition meets the requisite criteria for a subsequent general
561 election cycle. A new Financial Impact Estimating Conference



562 shall be established at such time as the initiative petition
563 again satisfies the criteria in s. 15.21(1).

564 Section 13. Section 101.019, Florida Statutes, is created
565 to read:

566 101.019 Ranked-choice voting prohibited.-

567 (1) A ranked-choice voting method that allows voters to
568 rank candidates for an office in order of preference and have
569 ballots cast be tabulated in multiple rounds following the
570 elimination of a candidate until a single candidate attains a
571 majority may not be used in determining the election or
572 nomination of any candidate to any local, state, or federal
573 elective office in this state.

574 (2) Any existing or future ordinance enacted or adopted by
575 a county, a municipality, or any other local governmental entity
576 which is in conflict with this section is void.

577 Section 14. Paragraph (b) of subsection (1) of section
578 101.043, Florida Statutes, is amended to read:

579 101.043 Identification required at polls.-

580 (1)

581 (b) If the picture identification does not contain the
582 signature of the elector, an additional identification that
583 provides the elector's signature shall be required. The address
584 appearing on the identification presented by the elector may not
585 be used as the basis to ~~confirm an elector's legal residence or~~
586 ~~otherwise~~ challenge an elector's legal residence. The elector
587 shall sign his or her name in the space provided on the precinct
588 register or on an electronic device provided for recording the
589 elector's signature. The clerk or inspector shall compare the
590 signature with that on the identification provided by the



824268

591 elector and enter his or her initials in the space provided on
592 the precinct register or on an electronic device provided for
593 that purpose and allow the elector to vote if the clerk or
594 inspector is satisfied as to the identity of the elector.

595 Section 15. Paragraph (a) of subsection (4) and subsection
596 (8) of section 101.5614, Florida Statutes, are amended to read:
597 101.5614 Canvass of returns.—

598 (4) (a) If any vote-by-mail ballot is physically damaged so
599 that it cannot properly be counted by the voting system's
600 automatic tabulating equipment, a true duplicate copy shall be
601 made of the damaged ballot in an open and accessible room in the
602 presence of witnesses and substituted for the damaged ballot.
603 Likewise, a duplicate ballot shall be made of a vote-by-mail
604 ballot containing an overvoted race if there is a clear
605 indication on the ballot that the voter has made a definite
606 choice in the overvoted race or ballot measure. A duplicate
607 shall include all valid votes as determined by the canvassing
608 board based on rules adopted by the division pursuant to s.
609 102.166(4). A duplicate may be made of a ballot containing an
610 undervoted race or ballot measure if there is a clear indication
611 on the ballot that the voter has made a definite choice in the
612 undervoted race or ballot measure. A duplicate may not include a
613 vote if the voter's intent in such race or on such measure is
614 not clear. Upon request, a physically present candidate, a
615 political party official, a political committee official, or an
616 authorized designee thereof, must be allowed to observe the
617 duplication of ballots upon signing an affidavit affirming his
618 or her acknowledgment that disclosure of election results
619 discerned from observing the ballot duplication process while



824268

620 the election is ongoing is a felony, as provided under
621 subsection (8). The observer must be allowed to observe the
622 duplication of ballots in such a way that the observer is able
623 to see the markings on each ballot and the duplication taking
624 place. All duplicate ballots must be clearly labeled
625 "duplicate," bear a serial number which shall be recorded on the
626 defective ballot, and be counted in lieu of the defective
627 ballot. The duplication of ballots must happen in the presence
628 of at least one canvassing board member. After a ballot has been
629 duplicated, the defective ballot shall be placed in an envelope
630 provided for that purpose, and the duplicate ballot shall be
631 tallied with the other ballots for that precinct. If any
632 observer makes a reasonable objection to a duplicate of a
633 ballot, the ballot must be presented to the canvassing board for
634 a determination of the validity of the duplicate. The canvassing
635 board must document the serial number of the ballot in the
636 canvassing board's minutes. The canvassing board must decide
637 whether the duplication is valid. If the duplicate ballot is
638 determined to be valid, the duplicate ballot must be counted. If
639 the duplicate ballot is determined to be invalid, the duplicate
640 ballot must be rejected and a proper duplicate ballot must be
641 made and counted in lieu of the original.

642 (8) Any supervisor of elections, deputy supervisor of
643 elections, canvassing board member, election board member, ~~or~~
644 election employee, or other person authorized to observe,
645 review, or inspect ballot materials or observe canvassing who
646 releases any information about votes cast for or against any
647 candidate or ballot measure or any ~~the~~ results of any election
648 before ~~prior to~~ the closing of the polls in that county on



824268

649 election day commits a felony of the third degree, punishable as
650 provided in s. 775.082, s. 775.083, or s. 775.084.

651 Section 16. Effective January 1, 2024, subsections (1) and
652 (6) of section 101.6103, Florida Statutes, are amended to read:

653 101.6103 Mail ballot election procedure.—

654 (1) Except as otherwise provided in subsection (7), the
655 supervisor of elections shall mail all official ballots with a
656 secrecy envelope, a return mailing envelope, and instructions
657 sufficient to describe the voting process to each elector
658 entitled to vote in the election within the timeframes specified
659 in s. 101.62(4) not sooner than the 20th day before the election
660 and not later than the 10th day before the date of the election.

661 All such ballots shall be mailed by first-class mail. Ballots
662 shall be addressed to each elector at the address appearing in
663 the registration records and placed in an envelope which is
664 prominently marked "Do Not Forward."

665 (6) The canvassing board may begin the canvassing of mail
666 ballots as provided by s. 101.68(2)(a). The criminal penalty
667 specified in that paragraph for the release of results before 7
668 p.m. on election day is also applicable to canvassing conducted
669 under this act at 7 a.m. on the sixth day before the election,
670 including processing the ballots through the tabulating
671 equipment. However, results may not be released until after 7
672 p.m. on election day. Any canvassing board member or election
673 employee who releases any result before 7 p.m. on election day
674 commits a felony of the third degree, punishable as provided in
675 s. 775.082, s. 775.083, or s. 775.084.

676 Section 17. Subsection (1) of section 101.655, Florida
677 Statutes, is amended to read:



824268

678 101.655 Supervised voting by absent electors in certain
679 facilities.—

680 (1) The supervisor of elections of a county shall provide
681 supervised voting for absent electors residing in any assisted
682 living facility, as defined in s. 429.02, or nursing home
683 facility, as defined in s. 400.021, within that county at the
684 request of any administrator of such a facility. Such request
685 for supervised voting in the facility shall be made by
686 submitting a written request to the supervisor of elections no
687 later than 28 ~~21~~ days prior to the election for which that
688 request is submitted. The request shall specify the name and
689 address of the facility and the name of the electors who wish to
690 vote by mail in that election. If the request contains the names
691 of fewer than five voters, the supervisor of elections is not
692 required to provide supervised voting.

693 Section 18. Section 102.091, Florida Statutes, is amended
694 to read:

695 102.091 Duty of sheriff to watch for violations;
696 appointment of special officers.—

697 (1) The sheriff shall exercise strict vigilance in the
698 detection of any violations of the election laws and in
699 apprehending the violators.

700 (2) The Governor, in consultation with the executive
701 director of the Department of Law Enforcement, shall ~~may~~ appoint
702 special officers to investigate alleged violations of the
703 election laws, ~~when it is deemed necessary~~ to see that violators
704 of the election laws are apprehended and punished. A special
705 officer must be a sworn special agent employed by the Department
706 of Law Enforcement. At least one special officer must be



824268

707 designated in each operational region of the Department of Law
708 Enforcement to serve as a dedicated investigator of alleged
709 violations of the election laws. Appointment as a special
710 officer does not preclude a sworn special agent from conducting
711 other investigations of alleged violations of law, provided that
712 such other investigations do not hinder or interfere with the
713 individual's ability to investigate alleged violations of the
714 election laws.

715 Section 19. Section 102.101, Florida Statutes, is amended
716 to read:

717 102.101 Sheriff and other officers not allowed in polling
718 place.—A ~~no~~ sheriff, a deputy sheriff, a police officer, a
719 special officer appointed pursuant to s. 102.091, or any other
720 officer of the law is not shall be allowed within a the polling
721 place without permission from the clerk or a majority of the
722 inspectors, except to cast his or her ballot. Upon the failure
723 of any such officer of said officers to comply with this section
724 provision, the clerk or the inspectors must ~~or any one of them~~
725 ~~shall~~ make an affidavit against the such officer for his or her
726 arrest.

727 Section 20. Subsection (2) of section 104.0616, Florida
728 Statutes, is amended to read:

729 104.0616 Vote-by-mail ballots and voting; violations.—

730 (2) Any person who distributes, orders, requests, collects,
731 delivers, or otherwise physically possesses more than two vote-
732 by-mail ballots per election in addition to his or her own
733 ballot or a ballot belonging to an immediate family member,
734 except as provided in ss. 101.6105-101.694, including supervised
735 voting at assisted living facilities and nursing home facilities



824268

736 as authorized under s. 101.655, commits a felony ~~misdemeanor~~ of
737 the third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~
738 s. 775.083, or s. 775.084.

739 Section 21. Subsection (2) of section 104.185, Florida
740 Statutes, is amended to read:

741 104.185 Petitions; knowingly signing more than once;
742 signing another person's name or a fictitious name.—

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

748 Section 22. Section 104.186, Florida Statutes, is amended
749 to read:

750 104.186 Initiative petitions; violations.—A person who
751 compensates a petition circulator as defined in s. 97.021 based
752 on the number of petition forms gathered commits a felony
753 ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in
754 s. 775.082, ~~or~~ s. 775.083, or s. 775.084. This section does not
755 prohibit employment relationships that do not base payment on
756 the number of signatures collected.

757 Section 23. Subsection (2) of section 124.011, Florida
758 Statutes, is amended to read:

759 124.011 Alternate procedure for the election of county
760 commissioners to provide for single-member representation;
761 applicability.—

762 (2) (a) All commissioners shall be elected for 4-year terms
763 which shall be staggered so that, alternately, one more or one
764 less than half of the commissioners elected from residence areas



765 and, if applicable, one of the commissioners elected at large
766 from the entire county are elected every 2 years, except that
767 any commissioner may be elected to an initial term of less than
768 4 years if necessary to achieve or maintain such system of
769 staggered terms. Notwithstanding any law to the contrary, at the
770 general election immediately following redistricting directed by
771 s. 1(e), Art. VIII of the State Constitution, each commissioner
772 elected only by electors who reside in the district must be
773 elected and terms thereafter shall be staggered as provided in
774 s. 100.041.

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

777 (c) This subsection does not apply to:

778 1. Miami-Dade County.

779 2. Any county the charter of which limits the number of
780 terms a commissioner may serve.

781 3. Any county in which voters have never approved a charter
782 amendment limiting the number of terms a commissioner may serve
783 regardless of subsequent judicial nullification.

784 Section 24. Paragraph (a) of subsection (3) of section
785 921.0022, Florida Statutes, is amended to read:

786 921.0022 Criminal Punishment Code; offense severity ranking
787 chart.—

788 (3) OFFENSE SEVERITY RANKING CHART

789 (a) LEVEL 1

790

Florida Statute	Felony Degree	Description
-----------------	---------------	-------------

791



824268

792	24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
793	<u>104.0616 (2)</u>	<u>3rd</u>	<u>Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.</u>
794	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
795	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
796	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
797	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
798	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
	320.26 (1) (a)	3rd	Counterfeit, manufacture, or



824268

799			sell registration license plates or validation stickers.
	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
800			
	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
801			
	322.212 (5) (a)	3rd	False application for driver license or identification card.
802			
	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
803			
	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
804			
	509.151 (1)	3rd	Defraud an innkeeper, food



824268

805			or lodging value \$1,000 or more.
806	517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
807	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
808	812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
809	815.04(5)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
810	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
	817.569(2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.



824268

811	826.01	3rd	Bigamy.
812	828.122(3)	3rd	Fighting or baiting animals.
813	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
814	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
815	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
816	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
817	838.15(2)	3rd	Commercial bribe receiving.
818	838.16	3rd	Commercial bribery.
819	843.18	3rd	Fleeing by boat to elude a



824268

820			law enforcement officer.
	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
821			
	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
822			
	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
823			
	849.25(2)	3rd	Engaging in bookmaking.
824			
	860.08	3rd	Interfere with a railroad signal.
825			
	860.13(1)(a)	3rd	Operate aircraft while under the influence.
826			
	893.13(2)(a)2.	3rd	Purchase of cannabis.
827			
	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).



824268

828

934.03(1)(a) 3rd Intercepts, or procures any other person to intercept, any wire or oral communication.

829

830

831

832

833

834

835

836

837

838

839

840

841

842

843

Section 25. (1) It is the intent of the Legislature to balance the security of vote-by-mail balloting with voter privacy and election transparency. The Legislature finds that further modifications to procedures governing vote-by-mail balloting would help to further ensure election integrity while also protecting voters from identity theft and preserving the public's right to participate in election processes. To achieve this purpose, the Legislature directs the Department of State to provide a plan to prescribe the use of a Florida driver license number, Florida identification card number, social security number, or any part thereof to confirm the identity of each elector returning a vote-by-mail ballot.

844

845

846

(2) The Department of State shall review issues involving the feasibility, development, and implementation of such a plan, including issues related to:

847

848

849

850

851

852

(a) In coordination with other agencies such as the Department of Highway Safety and Motor Vehicles, obtaining a Florida driver license number or Florida identification card number and the last four digits of a social security number for each registered voter who does not have such numbers on file in the Florida Voter Registration System.



853 (b) Populating such numbers in the Florida Voter
854 Registration System.

855 (c) Protecting identifying numbers submitted with a vote-
856 by-mail ballot, including, but not limited to, prescribing the
857 form of the return mailing envelope.

858 (d) Any necessary modifications to canvassing procedures
859 for vote-by-mail ballots.

860 (e) Costs associated with development and implementation of
861 the plan.

862 (f) A proposal for a program to educate electors on changes
863 to the vote-by-mail process.

864 (g) A proposal for including a declaration of an elector's
865 current address of legal residence with each written request for
866 a vote-by-mail ballot.

867 (3) In the course of reviewing the required issues, the
868 Department of State must, at a minimum:

869 (a) Review relevant processes of other states.

870 (b) Review relevant federal law.

871 (c) Seek input from supervisors of elections, which must
872 include representation from supervisors of counties with large,
873 medium, and small populations.

874 (4) By January 1, 2023, the Department of State shall
875 submit to the President of the Senate and the Speaker of the
876 House of Representatives a report on the plan and draft
877 legislation for any statutory changes needed to implement the
878 plan, including any necessary public records exemptions.

879 Section 26. Except as otherwise expressly provided in this
880 act, this act shall take effect upon becoming a law.

881



824268

882 ===== T I T L E A M E N D M E N T =====

883 And the title is amended as follows:

884 Delete everything before the enacting clause

885 and insert:

886 A bill to be entitled

887 An act relating to election administration; amending
888 s. 15.21, F.S.; requiring the Secretary of State to
889 notify the Attorney General if signatures required for
890 an initiative petition are no longer valid;
891 authorizing the Secretary of State to resubmit the
892 initiative petition to the Attorney General if certain
893 conditions are met; amending s. 16.061, F.S.;

894 requiring the Attorney General to withdraw his or her
895 petition for an advisory opinion by the Supreme Court
896 if notified by the Secretary of State that the
897 initiative petition no longer meets the criteria for
898 review; requiring the Attorney General to file a new
899 petition for an advisory opinion if the initiative
900 petition subsequently qualifies for review; creating
901 s. 97.022, F.S.; creating the Office of Election
902 Crimes and Security within the Department of State;
903 specifying the duties and structure of the office;
904 providing for construction; requiring the department
905 to annually report to the Governor and Legislature
906 regarding the office's activities; specifying
907 requirements for such report; amending s. 97.0291,
908 F.S.; clarifying provisions governing the prohibition
909 on the solicitation, acceptance, use, and disposal of
910 private funds for certain election-related expenses;



911 amending s. 97.057, F.S.; conforming a cross-
912 reference; amending s. 97.0575, F.S.; revising a
913 limitation on the amount of aggregate fines which may
914 be assessed against a third-party voter registration
915 organization in a calendar year; specifying that a
916 third-party voter registration organization is liable
917 for a certain fine if a person collecting voter
918 registration applications on its behalf is convicted
919 of lawfully altering any application; amending s.
920 98.065, F.S.; revising the frequency with which
921 supervisors of elections must conduct a registration
922 list maintenance program; modifying required
923 components of registration list maintenance programs;
924 amending s. 98.0655, F.S.; revising requirements for
925 certain registration list maintenance forms to be
926 prescribed by the Department of State; amending s.
927 98.075, F.S.; authorizing the Department of State to
928 identify deceased registered voters using information
929 received by the Department of Highway Safety and Motor
930 Vehicles; amending s. 98.093, F.S.; requiring clerks
931 of the circuit court and the Department of Highway
932 Safety and Motor Vehicles to furnish additional
933 information to the Department of State on a monthly
934 basis; amending s. 100.041, F.S.; providing an
935 exception to certain county commissioner election
936 requirements for certain districts; amending s.
937 100.371, F.S.; revising duties of the supervisor with
938 respect to the processing and retention of initiative
939 petition forms; requiring the supervisor to post



940 additional information regarding petition forms on his
941 or her website; requiring the Secretary of State to
942 notify the Financial Impact Estimating Conference if
943 the signatures for an initiative petition are no
944 longer valid; specifying conditions under which the
945 Financial Impact Estimating Conference does not need
946 to complete an analysis and financial impact statement
947 for an initiative petition; creating s. 101.019, F.S.;
948 prohibiting the use of ranked-choice voting to
949 determine election or nomination to elective office;
950 voiding existing or future local ordinances
951 authorizing the use of ranked-choice voting; amending
952 s. 101.043, F.S.; deleting a provision that prohibits
953 using an address appearing on identification presented
954 by an elector as a basis to confirm an elector's legal
955 residence; amending s. 101.5614, F.S.; requiring
956 specified individuals observing the ballot duplication
957 process to sign a specified affidavit acknowledging
958 certain criminal penalties; prohibiting persons
959 authorized to observe, review, or inspect ballot
960 materials or observe canvassing from releasing certain
961 information about an election before the closing of
962 the polls; providing criminal penalties; amending s.
963 101.6103, F.S.; conforming certain provisions
964 governing the Mail Ballot Election Act to provisions
965 applicable to the mailing and canvassing of vote-by-
966 mail ballots; amending s. 101.655, F.S.; revising the
967 date on which supervised voting may begin; amending s.
968 102.091, F.S.; requiring the Governor, in consultation



969 with the executive director of the Department of Law
970 Enforcement, to appoint special officers to
971 investigate election law violations; specifying
972 requirements for such special officers; providing
973 construction; amending s. 102.101, F.S.; prohibiting a
974 special officer from entering a polling place;
975 providing exceptions; amending s. 104.0616, F.S.;
976 increasing criminal penalties for certain unlawful
977 acts involving vote-by-mail ballots; amending s.
978 104.185, F.S.; increasing criminal penalties for a
979 person who signs another person's name or a fictitious
980 name on specified petitions; amending s. 104.186,
981 F.S.; increasing criminal penalties for a person who
982 unlawfully compensates a petition circulator based on
983 the number of petition forms gathered; amending s.
984 124.011, F.S.; providing that certain county
985 commissioners must be elected at the general election
986 immediately following redistricting; requiring such
987 commissioners' terms to commence on a certain date;
988 providing applicability; amending s. 921.0022, F.S.;
989 ranking a specified offense involving vote-by-mail
990 ballots on the severity ranking chart of the Criminal
991 Punishment Code; providing legislative findings and
992 intent; requiring the Department of State to submit a
993 report to the Legislature by a specified date;
994 providing report requirements; providing effective
995 dates.