

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Perez offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
 6 Section 1. Section 15.21, Florida Statutes, is amended to
 7 read:

8 15.21 Initiative petitions; s. 3, Art. XI, State
 9 Constitution.—

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

12 (a)-(1) Registered as a political committee pursuant to s.
 13 106.03;

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

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

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

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

36 16.061 Initiative petitions.—

37 (4) If the Attorney General is notified by the Secretary
38 of State pursuant to s. 15.21(2) that an initiative petition no
39 longer qualifies for ballot placement for the ensuing general
40 election, the Attorney General must withdraw his or her request
41 for an advisory opinion if the Supreme Court has not yet

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

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

49 97.022 Office of Election Crimes and Security; creation;
50 purpose and duties.-

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

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

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

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

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

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67 (4) The office shall be based in Tallahassee and shall
68 employ nonsworn investigators to conduct any investigations. The
69 positions and resources necessary for the office to accomplish
70 its duties shall be established through and subject to the
71 legislative appropriations process.

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

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

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

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

91 (b) The law allegedly violated or the nature of the

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92 irregularity reported;

93 (c) The county in which the alleged violation or
94 irregularity occurred;

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

98 (e) The current status of the investigation or resulting
99 criminal case.

100 Section 4. Section 97.0291, Florida Statutes, is amended
101 to read:

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

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

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117 97.057 Voter registration by the Department of Highway
118 Safety and Motor Vehicles.—

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

126 Section 6. Present subsections (4) through (7) of section
127 97.0575, Florida Statutes, are redesignated as subsections (5)
128 through (8), respectively, a new subsection (4) is added to that
129 section, and paragraph (a) of subsection (3) of that section is
130 amended, to read:

131 97.0575 Third-party voter registrations.—

132 (3)(a) A third-party voter registration organization that
133 collects voter registration applications serves as a fiduciary
134 to the applicant, ensuring that any voter registration
135 application entrusted to the organization, irrespective of party
136 affiliation, race, ethnicity, or gender, must be promptly
137 delivered to the division or the supervisor of elections in the
138 county in which the applicant resides within 14 days after the
139 application was completed by the applicant, but not after
140 registration closes for the next ensuing election. A third-party
141 voter registration organization must notify the applicant at the

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142 time the application is collected that the organization might
143 not deliver the application to the division or the supervisor of
144 elections in the county in which the applicant resides in less
145 than 14 days or before registration closes for the next ensuing
146 election and must advise the applicant that he or she may
147 deliver the application in person or by mail. The third-party
148 voter registration organization must also inform the applicant
149 how to register online with the division and how to determine
150 whether the application has been delivered. If a voter
151 registration application collected by any third-party voter
152 registration organization is not promptly delivered to the
153 division or supervisor of elections in the county in which the
154 applicant resides, the third-party voter registration
155 organization is liable for the following fines:

156 1. A fine in the amount of \$50 for each application
157 received by the division or the supervisor of elections in the
158 county in which the applicant resides more than 14 days after
159 the applicant delivered the completed voter registration
160 application to the third-party voter registration organization
161 or any person, entity, or agent acting on its behalf. A fine in
162 the amount of \$250 for each application received if the third-
163 party voter registration organization or person, entity, or
164 agency acting on its behalf acted willfully.

165 2. A fine in the amount of \$100 for each application
166 collected by a third-party voter registration organization or

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

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

183
184 The aggregate fine pursuant to this paragraph which may be
185 assessed against a third-party voter registration organization,
186 including affiliate organizations, for violations committed in a
187 calendar year is \$50,000 ~~\$1,000~~.

188 (4) If a person collecting voter registration applications
189 on behalf of a third-party voter registration organization
190 alters the voter registration application of any other person,
191 without the other person's knowledge and consent, in violation

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192 of s. 104.012(4) and is subsequently convicted of such offense,
193 the applicable third-party voter registration organization is
194 liable for a fine in the amount of \$1,000 for each application
195 altered.

196 Section 7. Effective January 1, 2023, present subsections
197 (3) through (6) of section 98.065, Florida Statutes, are
198 redesignated as subsections (4) through (7), respectively, a new
199 subsection (3) is added to that section, and subsection (2) and
200 present subsections (3), (4), and (5) of that section are
201 amended, to read:

202 98.065 Registration list maintenance programs.—

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

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

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217 during that time; or

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

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

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

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

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242 system.

243 ~~(5)(a)-(4)(a)~~ If the supervisor receives change-of-address
244 information pursuant to the activities conducted in subsection
245 (2), from jury notices signed by the voter and returned to the
246 courts, from the Department of Highway Safety and Motor
247 Vehicles, or from other sources which indicates that a
248 registered voter's legal residence might have changed to another
249 location within the state, the supervisor must change the
250 registration records to reflect the new address and must send
251 the voter an address change notice as provided in s. 98.0655(2).

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

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

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267 | the voter.

268 | (d) The supervisor must designate as inactive all voters
269 | who have been sent an address confirmation final notice and who
270 | have not returned the postage prepaid, preaddressed return form
271 | within 30 days or for which the final notice has been returned
272 | as undeliverable. Names on the inactive list may not be used to
273 | calculate the number of signatures needed on any petition. A
274 | voter on the inactive list may be restored to the active list of
275 | voters upon the voter updating his or her registration and
276 | confirming his or her current address of legal residence,
277 | requesting a vote-by-mail ballot and confirming his or her
278 | current address of legal residence, or appearing to vote and
279 | confirming his or her current address of legal residence.

280 | However, if the voter does not update his or her voter
281 | registration information, request a vote-by-mail ballot, or vote
282 | by the second general election after being placed on the
283 | inactive list, the voter's name shall be removed from the
284 | statewide voter registration system and the voter shall be
285 | required to reregister to have his or her name restored to the
286 | statewide voter registration system.

287 | (6)-(5) A notice may not be issued pursuant to this section
288 | and a voter's name may not be removed from the statewide voter
289 | registration system later than 90 days prior to the date of a
290 | federal election. However, this section does not preclude the
291 | correction of registration records based on information

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292 submitted by the voter or removal of the name of a voter from
293 the statewide voter registration system at any time upon the
294 voter's written request, by reason of the voter's death, or upon
295 a determination of the voter's ineligibility as provided in s.
296 98.075(7).

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

299 98.0655 Registration list maintenance forms.—The
300 department shall prescribe registration list maintenance forms
301 to be used by the supervisors which must include:

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

303 (a) The voter's name and address of legal residence as
304 shown on the voter registration record; ~~and~~

305 (b) A request that the voter notify the supervisor if
306 either the voter's name or address of legal residence is
307 incorrect;

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

314 (d) Information about updating voter information through
315 the online voter registration system.

316 (3) An address confirmation final notice that must be sent

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317 to the newly recorded address of legal residence, or to all
318 addresses on file for the voter if no indication of new address
319 has been received, by forwardable mail and must contain a

320 postage prepaid, preaddressed return form and a statement that:

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

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

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

329 2. The voter shall be provided with information on how to
330 register in the new jurisdiction in order to be eligible to
331 vote.

332 (c) If the return form is not returned, the voter's name
333 shall be designated as inactive in the statewide voter
334 registration system, and confirmation of the voter's address of
335 legal residence may be required before the voter is authorized
336 to vote in an election.

337 Section 9. Paragraph (a) of subsection (3) of section
338 98.075, Florida Statutes, is amended to read:

339 98.075 Registration records maintenance activities;
340 ineligibility determinations.—

341 (3) DECEASED PERSONS.—

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

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

346 b. The United States Social Security Administration,
347 including, but not limited to, any master death file or index
348 compiled by the United States Social Security Administration;
349 and

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

351 2. Within 7 days after receipt of such information through
352 the statewide voter registration system, the supervisor shall
353 remove the name of the registered voter.

354 Section 10. Section 98.093, Florida Statutes, is amended
355 to read:

356 98.093 Duty of officials to furnish information relating
357 to deceased persons, persons adjudicated mentally incapacitated,
358 ~~and~~ persons convicted of a felony, and persons who are not
359 United States citizens.—

360 (1) In order to identify ineligible registered voters and
361 maintain accurate and current voter registration records in the
362 statewide voter registration system pursuant to procedures in s.
363 98.065 or s. 98.075, it is necessary for the department and
364 supervisors of elections to receive or access certain
365 information from state and federal officials and entities in the
366 format prescribed.

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

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

378 (b) Each clerk of the circuit court shall furnish monthly
379 to the department:

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

391 2. Information on the terms of sentence for felony

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392 convictions, including any financial obligations for court
393 costs, fees, and fines, of all persons listed in the clerk's
394 records whose last known address in the clerk's records is
395 within this state and who have been convicted of a felony during
396 the preceding month. The information may be provided directly by
397 individual clerks of the circuit court or may be provided on
398 their behalf through the Comprehensive Case Information System.
399 For each felony conviction reported, the information must
400 include:

401 a. The full name, last known address, date of birth, race,
402 sex, and, if available, the Florida driver license number,
403 Florida identification card number, and social security number
404 of the person convicted.

405 b. The amounts of all financial obligations, including
406 restitution and court costs, fees, and fines, and, if known, the
407 amount of financial obligations not yet satisfied.

408 c. The county in which the conviction occurred.

409 d. The statute number violated, statute table text, date
410 of conviction, and case number.

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

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

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

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

441 (g) The Department of Highway Safety and Motor Vehicles

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442 shall furnish monthly to the department:

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

448 2. A list of those persons who presented evidence of non-
449 United States citizenship upon being issued a new or renewed
450 Florida driver license or Florida identification card. The list
451 must contain the name; address; date of birth; social security
452 number, if applicable; and Florida driver license number or
453 Florida identification card number, as applicable, of each such
454 person.

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

459 Section 11. Paragraph (a) of subsection (2) of section
460 100.041, Florida Statutes, is amended to read:

461 100.041 Officers chosen at general election.—

462 (2)(a) Except as provided in s. 124.011 relating to single
463 member districts after decennial redistricting, each county
464 commissioner from an odd-numbered district shall be elected at
465 the general election in each year the number of which is a
466 multiple of 4, for a 4-year term commencing on the second

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467 Tuesday following such election, and each county commissioner
468 from an even-numbered district shall be elected at the general
469 election in each even-numbered year the number of which is not a
470 multiple of 4, for a 4-year term commencing on the second
471 Tuesday following such election. A county commissioner is
472 "elected" for purposes of this paragraph on the date that the
473 county canvassing board certifies the results of the election
474 pursuant to s. 102.151.

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

478 100.371 Initiatives; procedure for placement on ballot.—

479 (11) (a) An initiative petition form circulated for
480 signature may not be bundled with or attached to any other
481 petition. Each signature shall be dated when made and shall be
482 valid until the next February 1 occurring in an even-numbered
483 year for the purpose of the amendment appearing on the ballot
484 for the general election occurring in that same year, provided
485 all other requirements of law are met. The sponsor shall submit
486 signed and dated forms to the supervisor of elections for the
487 county of residence listed by the person signing the form for
488 verification of the number of valid signatures obtained. If a
489 signature on a petition is from a registered voter in another
490 county, the supervisor shall notify the petition sponsor of the
491 misfiled petition. The supervisor shall promptly verify the

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492 signatures within 60 days after receipt of the petition forms
493 and payment of a fee for the actual cost of signature
494 verification incurred by the supervisor. However, for petition
495 forms submitted less than 60 days before February 1 of an even-
496 numbered year, the supervisor shall promptly verify the
497 signatures within 30 days after receipt of the form and payment
498 of the fee for signature verification. The supervisor shall
499 promptly record, in the manner prescribed by the Secretary of
500 State, the date each form is received by the supervisor, and the
501 date the signature on the form is verified as valid. The
502 supervisor may verify that the signature on a form is valid only
503 if:

- 504 1. The form contains the original signature of the
505 purported elector.
- 506 2. The purported elector has accurately recorded on the
507 form the date on which he or she signed the form.
- 508 3. The form sets forth the purported elector's name,
509 address, city, county, and voter registration number or date of
510 birth.
- 511 4. The purported elector is, at the time he or she signs
512 the form and at the time the form is verified, a duly qualified
513 and registered elector in the state.
- 514 5. The signature was obtained legally, including that if a
515 paid petition circulator was used, the circulator was validly
516 registered under subsection (3) when the signature was obtained.

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517
518 The supervisor shall retain all the signature forms, separating
519 forms verified as valid from those deemed invalid, for at least
520 1 year following the election for in which the petition was
521 circulated ~~issue appeared on the ballot or until the division~~
522 ~~notifies the supervisors of elections that the committee that~~
523 ~~circulated the petition is no longer seeking to obtain ballot~~
524 ~~position.~~

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

539 (13) (a) At the same time the Secretary of State submits an
540 initiative petition to the Attorney General pursuant to s.
541 15.21, the secretary shall submit a copy of the initiative

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

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

569 Section 13. Section 101.019, Florida Statutes, is created
570 to read:

571 101.019 Ranked-choice voting prohibited.-

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

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

582 Section 14. Paragraphs (b) and (c) of subsection (1) of
583 section 101.043, Florida Statutes, are amended to read:

584 101.043 Identification required at polls.-

585 (1)

586 (b) If the picture identification does not contain the
587 signature of the elector, an additional identification that
588 provides the elector's signature shall be required. The address
589 appearing on the identification presented by the elector may not
590 be used as the basis to ~~confirm an elector's legal residence or~~
591 ~~otherwise~~ challenge an elector's legal residence. The elector

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592 shall sign his or her name in the space provided on the precinct
593 register or on an electronic device provided for recording the
594 elector's signature. The clerk or inspector shall compare the
595 signature with that on the identification provided by the
596 elector and enter his or her initials in the space provided on
597 the precinct register or on an electronic device provided for
598 that purpose and allow the elector to vote if the clerk or
599 inspector is satisfied as to the identity of the elector.

600 ~~(c) When an elector presents his or her picture~~
601 ~~identification to the clerk or inspector and the elector's~~
602 ~~address on the picture identification matches the elector's~~
603 ~~address in the supervisor's records, the elector may not be~~
604 ~~asked to provide additional information or to recite his or her~~
605 ~~home address.~~

606 Section 15. Paragraph (a) of subsection (4) and subsection
607 (8) of section 101.5614, Florida Statutes, are amended to read:

608 101.5614 Canvass of returns.—

609 (4)(a) If any vote-by-mail ballot is physically damaged so
610 that it cannot properly be counted by the voting system's
611 automatic tabulating equipment, a true duplicate copy shall be
612 made of the damaged ballot in an open and accessible room in the
613 presence of witnesses and substituted for the damaged ballot.
614 Likewise, a duplicate ballot shall be made of a vote-by-mail
615 ballot containing an overvoted race if there is a clear
616 indication on the ballot that the voter has made a definite

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617 choice in the overvoted race or ballot measure. A duplicate
618 shall include all valid votes as determined by the canvassing
619 board based on rules adopted by the division pursuant to s.
620 102.166(4). A duplicate may be made of a ballot containing an
621 undervoted race or ballot measure if there is a clear indication
622 on the ballot that the voter has made a definite choice in the
623 undervoted race or ballot measure. A duplicate may not include a
624 vote if the voter's intent in such race or on such measure is
625 not clear. Upon request, a physically present candidate, a
626 political party official, a political committee official, or an
627 authorized designee thereof, must be allowed to observe the
628 duplication of ballots upon signing an affidavit affirming his
629 or her acknowledgment that disclosure of election results
630 discerned from observing the ballot duplication process while
631 the election is ongoing is a felony, as provided under
632 subsection (8). The observer must be allowed to observe the
633 duplication of ballots in such a way that the observer is able
634 to see the markings on each ballot and the duplication taking
635 place. All duplicate ballots must be clearly labeled
636 "duplicate," bear a serial number which shall be recorded on the
637 defective ballot, and be counted in lieu of the defective
638 ballot. The duplication of ballots must happen in the presence
639 of at least one canvassing board member. After a ballot has been
640 duplicated, the defective ballot shall be placed in an envelope
641 provided for that purpose, and the duplicate ballot shall be

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642 tallied with the other ballots for that precinct. If any
643 observer makes a reasonable objection to a duplicate of a
644 ballot, the ballot must be presented to the canvassing board for
645 a determination of the validity of the duplicate. The canvassing
646 board must document the serial number of the ballot in the
647 canvassing board's minutes. The canvassing board must decide
648 whether the duplication is valid. If the duplicate ballot is
649 determined to be valid, the duplicate ballot must be counted. If
650 the duplicate ballot is determined to be invalid, the duplicate
651 ballot must be rejected and a proper duplicate ballot must be
652 made and counted in lieu of the original.

653 (8) Any supervisor of elections, deputy supervisor of
654 elections, canvassing board member, election board member, ~~or~~
655 election employee, or other person authorized to observe,
656 review, or inspect ballot materials or observe canvassing who
657 releases any information about votes cast for or against any
658 candidate or ballot measure or any ~~the~~ results of any election
659 before ~~prior to~~ the closing of the polls in that county on
660 election day commits a felony of the third degree, punishable as
661 provided in s. 775.082, s. 775.083, or s. 775.084.

662 Section 16. Subsections (1) and (6) of section 101.6103,
663 Florida Statutes, are amended to read:

664 101.6103 Mail ballot election procedure.—

665 (1) Except as otherwise provided in subsection (7), the
666 supervisor of elections shall mail all official ballots with a

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667 secrecy envelope, a return mailing envelope, and instructions
668 sufficient to describe the voting process to each elector
669 entitled to vote in the election within the timeframes specified
670 in s. 101.62(4) not sooner than the 20th day before the election
671 and not later than the 10th day before the date of the election.
672 All such ballots shall be mailed by first-class mail. Ballots
673 shall be addressed to each elector at the address appearing in
674 the registration records and placed in an envelope which is
675 prominently marked "Do Not Forward."

676 (6) The canvassing board may begin the canvassing of mail
677 ballots as provided by s. 101.68(2)(a). The criminal penalty
678 specified in that paragraph for the release of results before 7
679 p.m. on election day is also applicable to canvassing conducted
680 under this act at 7 a.m. on the sixth day before the election,
681 including processing the ballots through the tabulating
682 equipment. However, results may not be released until after 7
683 p.m. on election day. Any canvassing board member or election
684 employee who releases any result before 7 p.m. on election day
685 commits a felony of the third degree, punishable as provided in
686 s. 775.082, s. 775.083, or s. 775.084.

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

689 101.655 Supervised voting by absent electors in certain
690 facilities.—

691 (1) The supervisor of elections of a county shall provide

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692 supervised voting for absent electors residing in any assisted
693 living facility, as defined in s. 429.02, or nursing home
694 facility, as defined in s. 400.021, within that county at the
695 request of any administrator of such a facility. Such request
696 for supervised voting in the facility shall be made by
697 submitting a written request to the supervisor of elections no
698 later than 28 ~~21~~ days prior to the election for which that
699 request is submitted. The request shall specify the name and
700 address of the facility and the name of the electors who wish to
701 vote by mail in that election. If the request contains the names
702 of fewer than five voters, the supervisor of elections is not
703 required to provide supervised voting.

704 Section 18. Section 102.091, Florida Statutes, is amended
705 to read:

706 102.091 Duty of sheriff to watch for violations;
707 appointment of special officers.—

708 (1) The sheriff shall exercise strict vigilance in the
709 detection of any violations of the election laws and in
710 apprehending the violators.

711 (2) The Governor, in consultation with the executive
712 director of the Department of Law Enforcement, shall ~~may~~ appoint
713 special officers to investigate alleged violations of the
714 election laws, ~~when it is deemed necessary~~ to see that violators
715 of the election laws are apprehended and punished. A special
716 officer must be a sworn special agent employed by the Department

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717 of Law Enforcement. At least one special officer must be
718 designated in each operational region of the Department of Law
719 Enforcement to serve as a dedicated investigator of alleged
720 violations of the election laws. Appointment as a special
721 officer does not preclude a sworn special agent from conducting
722 other investigations of alleged violations of law, provided that
723 such other investigations do not hinder or interfere with the
724 individual's ability to investigate alleged violations of the
725 election laws.

726 Section 19. Section 102.101, Florida Statutes, is amended
727 to read:

728 102.101 Sheriff and other officers not allowed in polling
729 place.—A ~~No~~ sheriff, a deputy sheriff, a police officer, a
730 special officer appointed pursuant to s. 102.091, or any other
731 officer of the law is not shall be allowed within a the polling
732 place without permission from the clerk or a majority of the
733 inspectors, except to cast his or her ballot. Upon the failure
734 of any such officer ~~of said officers~~ to comply with this section
735 ~~provision~~, the clerk or the inspectors must ~~or any one of them~~
736 ~~shall~~ make an affidavit against the such officer for his or her
737 arrest.

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

740 104.0616 Vote-by-mail ballots and voting; violations.—

741 (2) Any person who distributes, orders, requests,

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742 collects, delivers, or otherwise physically possesses more than
743 two vote-by-mail ballots per election in addition to his or her
744 own ballot or a ballot belonging to an immediate family member,
745 except as provided in ss. 101.6105-101.694, including supervised
746 voting at assisted living facilities and nursing home facilities
747 as authorized under s. 101.655, commits a felony ~~misdemeanor~~ of
748 the third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~
749 s. 775.083, or s. 775.084.

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

752 104.185 Petitions; knowingly signing more than once;
753 signing another person's name or a fictitious name.—

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

759 Section 22. Section 104.186, Florida Statutes, is amended
760 to read:

761 104.186 Initiative petitions; violations.—A person who
762 compensates a petition circulator as defined in s. 97.021 based
763 on the number of petition forms gathered commits a felony
764 ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in
765 s. 775.082, ~~or~~ s. 775.083, or s. 775.084. This section does not
766 prohibit employment relationships that do not base payment on

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767 the number of signatures collected.

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

770 124.011 Alternate procedure for the election of county
771 commissioners to provide for single-member representation;
772 applicability.—

773 (2) (a) All commissioners shall be elected for 4-year terms
774 which shall be staggered so that, alternately, one more or one
775 less than half of the commissioners elected from residence areas
776 and, if applicable, one of the commissioners elected at large
777 from the entire county are elected every 2 years, except that
778 any commissioner may be elected to an initial term of less than
779 4 years if necessary to achieve or maintain such system of
780 staggered terms. Notwithstanding any law to the contrary, at the
781 general election immediately following redistricting directed by
782 s. 1(e), Art. VIII of the State Constitution, each commissioner
783 elected only by electors who reside in the district must be
784 elected and terms thereafter shall be staggered as provided in
785 s. 100.041.

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

788 (c) This subsection does not apply to:

789 1. Miami-Dade County.

790 2. Any county the charter of which limits the number of
791 terms a commissioner may serve.

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

795 Section 24. Paragraph (a) of subsection (3) of section
 796 921.0022, Florida Statutes, is amended to read:

797 921.0022 Criminal Punishment Code; offense severity
 798 ranking chart.—

799 (3) OFFENSE SEVERITY RANKING CHART

800 (a) LEVEL 1

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
<u>104.0616(2)</u>	<u>3rd</u>	<u>Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.</u>
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.

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805	212.15(2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
806	316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
807	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
808	319.35(1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
809	320.26(1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
810	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
811			

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7061 (2022)

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812	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
813	322.212 (5) (a)	3rd	False application for driver license or identification card.
814	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
815	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
816	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
817	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
	713.69	3rd	Tenant removes property upon

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which lien has accrued, value
\$1,000 or more.

818

812.014(3)(c) 3rd Petit theft (3rd conviction);
theft of any property not
specified in subsection (2).

819

815.04(5)(a) 3rd Offense against intellectual
property (i.e., computer
programs, data).

820

817.52(2) 3rd Hiring with intent to defraud,
motor vehicle services.

821

817.569(2) 3rd Use of public record or public
records information or
providing false information to
facilitate commission of a
felony.

822

826.01 3rd Bigamy.

823

828.122(3) 3rd Fighting or baiting animals.

824

831.04(1) 3rd Any erasure, alteration, etc.,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7061 (2022)

Amendment No. 1

832	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
833	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.
834	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
835	849.25(2)	3rd	Engaging in bookmaking.
836	860.08	3rd	Interfere with a railroad signal.
837	860.13(1)(a)	3rd	Operate aircraft while under the influence.
838	893.13(2)(a)2.	3rd	Purchase of cannabis.
	893.13(6)(a)	3rd	Possession of cannabis (more

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than 20 grams).

839

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

840

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

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

856 (a) In coordination with other agencies such as the
857 Department of Highway Safety and Motor Vehicles, obtaining a
858 Florida driver license number or Florida identification card
859 number and the last four digits of a social security number for

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860 each registered voter who does not have such numbers on file in
861 the Florida Voter Registration System.

862 (b) Populating such numbers in the Florida Voter
863 Registration System.

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

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

869 (e) Costs associated with development and implementation
870 of the plan.

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

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

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

878 (a) Review relevant processes of other states.

879 (b) Review relevant federal law.

880 (c) Seek input from supervisors of elections, which must
881 include representation from supervisors of counties with large,
882 medium, and small populations.

883 (4) By January 1, 2023, the Department of State shall
884 submit to the President of the Senate and the Speaker of the

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885 House of Representatives a report on the plan and draft
886 legislation for any statutory changes needed to implement the
887 plan, including any necessary public records exemptions.

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

890

891 -----

892

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

893 Remove everything before the enacting clause and insert:

894

A bill to be entitled

895

An act relating to election administration; amending

896

s. 15.21, F.S.; requiring the Secretary of State to

897

notify the Attorney General if signatures required for

898

an initiative petition are no longer valid;

899

authorizing the Secretary of State to resubmit the

900

initiative petition to the Attorney General if certain

901

conditions are met; amending s. 16.061, F.S.;

902

requiring the Attorney General to withdraw his or her

903

petition for an advisory opinion by the Supreme Court

904

if notified by the Secretary of State that the

905

initiative petition no longer meets the criteria for

906

review; requiring the Attorney General to file a new

907

petition for an advisory opinion if the initiative

908

petition subsequently qualifies for review; creating

909

s. 97.022, F.S.; creating the Office of Election

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910 Crimes and Security within the Department of State;
911 specifying the duties and structure of the office;
912 providing for construction; requiring the department
913 to annually report to the Governor and Legislature
914 regarding the office's activities; specifying
915 requirements for such report; amending s. 97.0291,
916 F.S.; clarifying provisions governing the prohibition
917 on the solicitation, acceptance, use, and disposal of
918 donations for funding certain election-related
919 expenses; amending s. 97.057, F.S.; conforming a
920 cross-reference; amending s. 97.0575, F.S.; revising a
921 limitation on the amount of aggregate fines which may
922 be assessed against a third-party voter registration
923 organization in a calendar year; specifying that a
924 third-party voter registration organization is liable
925 for a certain fine if a person collecting voter
926 registration applications on its behalf is convicted
927 of unlawfully altering any application; amending s.
928 98.065, F.S.; revising the frequency with which
929 supervisors of elections must conduct a registration
930 list maintenance program; modifying required
931 components of registration list maintenance programs;
932 amending s. 98.0655, F.S.; revising requirements for
933 certain registration list maintenance forms to be
934 prescribed by the Department of State; amending s.

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935 98.075, F.S.; authorizing the Department of State to
936 identify deceased registered voters using information
937 received from the Department of Highway Safety and
938 Motor Vehicles; amending s. 98.093, F.S.; requiring
939 clerks of the circuit court and the Department of
940 Highway Safety and Motor Vehicles to furnish
941 additional information to the Department of State on a
942 monthly basis; amending s. 100.041, F.S.; providing an
943 exception to certain county commissioner election
944 requirements for certain districts; amending s.
945 100.371, F.S.; revising duties of the supervisor with
946 respect to the processing and retention of initiative
947 petition forms; requiring the supervisor to post
948 additional information regarding petition forms on his
949 or her website; requiring the Secretary of State to
950 notify the Financial Impact Estimating Conference if
951 the signatures for an initiative petition are no
952 longer valid; specifying conditions under which the
953 Financial Impact Estimating Conference does not need
954 to complete an analysis and financial impact statement
955 for an initiative petition; creating s. 101.019, F.S.;
956 prohibiting the use of ranked-choice voting to
957 determine election or nomination to elective office;
958 voiding existing or future local ordinances
959 authorizing the use of ranked-choice voting; amending

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960 s. 101.043, F.S.; deleting provisions that prohibit
961 using an address appearing on identification presented
962 by an elector as a basis to confirm an elector's legal
963 residence and asking an elector for certain
964 information in certain circumstances; amending s.
965 101.5614, F.S.; requiring specified individuals
966 observing the ballot duplication process to sign a
967 specified affidavit acknowledging certain criminal
968 penalties; prohibiting persons authorized to observe,
969 review, or inspect ballot materials or observe
970 canvassing from releasing certain information about an
971 election before the closing of the polls; providing
972 criminal penalties; amending s. 101.6103, F.S.;
973 conforming certain provisions governing the Mail
974 Ballot Election Act to provisions applicable to the
975 mailing and canvassing of vote-by-mail ballots;
976 amending s. 101.655, F.S.; revising the date by which
977 requests for supervised voting must be made; amending
978 s. 102.091, F.S.; requiring the Governor, in
979 consultation with the executive director of the
980 Department of Law Enforcement, to appoint special
981 officers to investigate election law violations;
982 specifying requirements for such special officers;
983 providing construction; amending s. 102.101, F.S.;
984 prohibiting a special officer from entering a polling

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985 place; providing exceptions; amending s. 104.0616,
986 F.S.; increasing criminal penalties for certain
987 unlawful acts involving vote-by-mail ballots; amending
988 s. 104.185, F.S.; increasing criminal penalties for a
989 person who signs another person's name or a fictitious
990 name on specified petitions; amending s. 104.186,
991 F.S.; increasing criminal penalties for a person who
992 unlawfully compensates a petition circulator based on
993 the number of petition forms gathered; amending s.
994 124.011, F.S.; providing that certain county
995 commissioners must be elected at the general election
996 immediately following redistricting; requiring such
997 commissioners' terms to commence on a certain date;
998 providing applicability; amending s. 921.0022, F.S.;
999 ranking a specified offense involving vote-by-mail
1000 ballots on the severity ranking chart of the Criminal
1001 Punishment Code; providing legislative findings and
1002 intent; requiring the Department of State to submit a
1003 report to the Legislature by a specified date;
1004 providing report requirements; providing effective
1005 dates.