

1 A bill to be entitled
2 An act relating to elections; amending s. 15.21, F.S.;
3 requiring the Secretary of State to notify the
4 Attorney General if signatures required for an
5 initiative petition are no longer valid; authorizing
6 the Secretary of State to resubmit the initiative
7 petition to the Attorney General if certain conditions
8 are met; amending s. 16.061, F.S.; requiring the
9 Attorney General to withdraw his or her petition for
10 an advisory opinion by the Supreme Court if notified
11 by the Secretary of State that the initiative petition
12 no longer meets the criteria for review; requiring the
13 Attorney General to file a new petition for an
14 advisory opinion if the initiative petition
15 subsequently qualifies for review; creating s. 97.022,
16 F.S.; creating the Office of Election Crimes and
17 Security within the Department of State; specifying
18 the duties and structure of the office; providing for
19 construction; requiring the department to annually
20 report to the Governor and Legislature regarding the
21 office's activities; specifying requirements for such
22 report; amending s. 97.0291, F.S.; clarifying
23 provisions governing the prohibition on the
24 solicitation, acceptance, use, and disposal of
25 donations for funding certain election-related

26 | expenses; amending s. 97.057, F.S.; conforming a
27 | cross-reference; amending s. 97.0575, F.S.; revising a
28 | limitation on the amount of aggregate fines which may
29 | be assessed against a third-party voter registration
30 | organization in a calendar year; specifying that a
31 | third-party voter registration organization is liable
32 | for a certain fine if a person collecting voter
33 | registration applications on its behalf is convicted
34 | of unlawfully altering any application; amending s.
35 | 98.065, F.S.; revising the frequency with which
36 | supervisors of elections must conduct a registration
37 | list maintenance program; modifying required
38 | components of registration list maintenance programs;
39 | amending s. 98.0655, F.S.; revising requirements for
40 | certain registration list maintenance forms to be
41 | prescribed by the Department of State; amending s.
42 | 98.075, F.S.; authorizing the Department of State to
43 | identify deceased registered voters using information
44 | received from the Department of Highway Safety and
45 | Motor Vehicles; amending s. 98.093, F.S.; requiring
46 | clerks of the circuit court and the Department of
47 | Highway Safety and Motor Vehicles to furnish
48 | additional information to the Department of State on a
49 | monthly basis; amending s. 100.041, F.S.; providing an
50 | exception to certain county commissioner election

51 requirements for certain districts; amending s.
52 100.371, F.S.; revising duties of the supervisor with
53 respect to the processing and retention of initiative
54 petition forms; requiring the supervisor to post
55 additional information regarding petition forms on his
56 or her website; requiring the Secretary of State to
57 notify the Financial Impact Estimating Conference if
58 the signatures for an initiative petition are no
59 longer valid; specifying conditions under which the
60 Financial Impact Estimating Conference does not need
61 to complete an analysis and financial impact statement
62 for an initiative petition; creating s. 101.019, F.S.;
63 prohibiting the use of ranked-choice voting to
64 determine election or nomination to elective office;
65 voiding existing or future local ordinances
66 authorizing the use of ranked-choice voting; amending
67 s. 101.043, F.S.; deleting provisions that prohibit
68 using an address appearing on identification presented
69 by an elector as a basis to confirm an elector's legal
70 residence and asking an elector for certain
71 information in certain circumstances; amending s.
72 101.5614, F.S.; requiring specified individuals
73 observing the ballot duplication process to sign a
74 specified affidavit acknowledging certain criminal
75 penalties; prohibiting persons authorized to observe,

76 review, or inspect ballot materials or observe
77 canvassing from releasing certain information about an
78 election before the closing of the polls; providing
79 criminal penalties; amending s. 101.6103, F.S.;
80 conforming certain provisions governing the Mail
81 Ballot Election Act to provisions applicable to the
82 mailing and canvassing of vote-by-mail ballots;
83 amending s. 101.655, F.S.; revising the date by which
84 requests for supervised voting must be made; amending
85 s. 102.091, F.S.; requiring the Governor, in
86 consultation with the executive director of the
87 Department of Law Enforcement, to appoint special
88 officers to investigate election law violations;
89 specifying requirements for such special officers;
90 providing construction; amending s. 102.101, F.S.;
91 prohibiting a special officer from entering a polling
92 place; providing exceptions; amending s. 104.0616,
93 F.S.; increasing criminal penalties for certain
94 unlawful acts involving vote-by-mail ballots; amending
95 s. 104.185, F.S.; increasing criminal penalties for a
96 person who signs another person's name or a fictitious
97 name on specified petitions; amending s. 104.186,
98 F.S.; increasing criminal penalties for a person who
99 unlawfully compensates a petition circulator based on
100 the number of petition forms gathered; amending s.

101 124.011, F.S.; providing that certain county
 102 commissioners must be elected at the general election
 103 immediately following redistricting; requiring such
 104 commissioners' terms to commence on a certain date;
 105 providing applicability; amending s. 921.0022, F.S.;
 106 ranking a specified offense involving vote-by-mail
 107 ballots on the severity ranking chart of the Criminal
 108 Punishment Code; providing legislative findings and
 109 intent; requiring the Department of State to submit a
 110 report to the Legislature by a specified date;
 111 providing report requirements; providing effective
 112 dates.

113
 114 Be It Enacted by the Legislature of the State of Florida:

115
 116 Section 1. Section 15.21, Florida Statutes, is amended to
 117 read:

118 15.21 Initiative petitions; s. 3, Art. XI, State
 119 Constitution.—

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

122 (a)~~(1)~~ Registered as a political committee pursuant to s.
 123 106.03;

124 (b)~~(2)~~ Submitted the ballot title, substance, and text of
 125 the proposed revision or amendment to the Secretary of State

126 pursuant to ss. 100.371 and 101.161; and

127 ~~(c)(3)~~ Obtained a letter from the Division of Elections
128 confirming that the sponsor has submitted to the appropriate
129 supervisors for verification, and the supervisors have verified,
130 forms signed and dated equal to 25 percent of the number of
131 electors statewide required by s. 3, Art. XI of the State
132 Constitution in one-half of the congressional districts of the
133 state.

134 (2) If the Secretary of State has submitted an initiative
135 petition to the Attorney General pursuant to subsection (1) but
136 the validity of the signatures for such initiative petition have
137 expired pursuant to s. 100.371(11)(a) before securing ballot
138 placement, the Secretary of State must promptly notify the
139 Attorney General. The Secretary of State may resubmit the
140 initiative petition to the Attorney General if the initiative
141 petition is later circulated for placement on the ballot of a
142 subsequent general election and the criteria under subsection
143 (1) are satisfied.

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

146 16.061 Initiative petitions.—

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

151 for an advisory opinion if the Supreme Court has not yet
152 fulfilled that request. If the Secretary of State subsequently
153 resubmits the initiative petition if the criteria in s. 15.21 (1)
154 are again satisfied and the court has not issued its advisory
155 opinion, the Attorney General must file a new petition seeking
156 such advisory opinion.

157 Section 3. Section 97.022, Florida Statutes, is created to
158 read:

159 97.022 Office of Election Crimes and Security; creation;
160 purpose and duties.—

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

165 (a) Receiving and reviewing notices and reports generated
166 by government officials or any other person regarding alleged
167 occurrences of election law violations or election
168 irregularities in this state.

169 (b) Initiating independent inquiries and conducting
170 preliminary investigations into allegations of election law
171 violations or election irregularities in this state.

172 (2) The office may review complaints and conduct
173 preliminary investigations into alleged violations of the
174 Florida Election Code or any rule adopted pursuant thereto and
175 any election irregularities.

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

177 (4) The office shall be based in Tallahassee and shall
 178 employ nonsworn investigators to conduct any investigations. The
 179 positions and resources necessary for the office to accomplish
 180 its duties shall be established through and subject to the
 181 legislative appropriations process.

182 (5) The office shall oversee the department's voter fraud
 183 hotline.

184 (6) This section does not limit the jurisdiction of any
 185 other office or agency of the state empowered by law to
 186 investigate, act upon, or dispose of alleged election law
 187 violations.

188 (7) By January 15 of each year, the department shall
 189 submit a report to the Governor, the President of the Senate,
 190 and the Speaker of the House of Representatives detailing
 191 information on investigations of alleged election law violations
 192 or election irregularities conducted during the prior calendar
 193 year. The report must include the total number of complaints
 194 received and independent investigations initiated and the number
 195 of complaints referred to another agency for further
 196 investigation or prosecution, including the total number of
 197 those matters sent to a special officer pursuant to s. 102.091.
 198 For each alleged violation or irregularity investigated, the
 199 report must include:

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

- 201 (b) The law allegedly violated or the nature of the
- 202 irregularity reported;
- 203 (c) The county in which the alleged violation or
- 204 irregularity occurred;
- 205 (d) Whether the alleged violation or irregularity was
- 206 referred to another agency for further investigation or
- 207 prosecution, and if so, to which agency; and
- 208 (e) The current status of the investigation or resulting
- 209 criminal case.

210 Section 4. Section 97.0291, Florida Statutes, is amended
 211 to read:

212 97.0291 Prohibition on use of private funds for election-
 213 related expenses.—No agency or state or local official
 214 responsible for conducting elections, including, but not limited
 215 to, a supervisor of elections, may solicit, accept, use, or
 216 dispose of any donation in the form of money, grants, property,
 217 or personal services from an individual or a nongovernmental
 218 entity for the purpose of funding any type of election-related
 219 expenses related to election administration, including, but not
 220 limited to, ~~or~~ voter education, voter outreach, voter ~~or~~
 221 registration programs, or the cost of any litigation related to
 222 election administration. This section does not prohibit the
 223 donation and acceptance of space to be used for a polling room
 224 or an early voting site.

225 Section 5. Subsection (13) of section 97.057, Florida

226 Statutes, is amended to read:

227 97.057 Voter registration by the Department of Highway
228 Safety and Motor Vehicles.—

229 (13) The Department of Highway Safety and Motor Vehicles
230 must assist the Department of State in regularly identifying
231 changes in residence address on the driver license or
232 identification card of a voter. The Department of State must
233 report each such change to the appropriate supervisor of
234 elections who must change the voter's registration records in
235 accordance with s. 98.065(5) ~~s. 98.065(4)~~.

236 Section 6. Present subsections (4) through (7) of section
237 97.0575, Florida Statutes, are redesignated as subsections (5)
238 through (8), respectively, a new subsection (4) is added to that
239 section, and paragraph (a) of subsection (3) of that section is
240 amended, to read:

241 97.0575 Third-party voter registrations.—

242 (3)(a) A third-party voter registration organization that
243 collects voter registration applications serves as a fiduciary
244 to the applicant, ensuring that any voter registration
245 application entrusted to the organization, irrespective of party
246 affiliation, race, ethnicity, or gender, must be promptly
247 delivered to the division or the supervisor of elections in the
248 county in which the applicant resides within 14 days after the
249 application was completed by the applicant, but not after
250 registration closes for the next ensuing election. A third-party

251 voter registration organization must notify the applicant at the
252 time the application is collected that the organization might
253 not deliver the application to the division or the supervisor of
254 elections in the county in which the applicant resides in less
255 than 14 days or before registration closes for the next ensuing
256 election and must advise the applicant that he or she may
257 deliver the application in person or by mail. The third-party
258 voter registration organization must also inform the applicant
259 how to register online with the division and how to determine
260 whether the application has been delivered. If a voter
261 registration application collected by any third-party voter
262 registration organization is not promptly delivered to the
263 division or supervisor of elections in the county in which the
264 applicant resides, the third-party voter registration
265 organization is liable for the following fines:

266 1. A fine in the amount of \$50 for each application
267 received by the division or the supervisor of elections in the
268 county in which the applicant resides more than 14 days after
269 the applicant delivered the completed voter registration
270 application to the third-party voter registration organization
271 or any person, entity, or agent acting on its behalf. A fine in
272 the amount of \$250 for each application received if the third-
273 party voter registration organization or person, entity, or
274 agency acting on its behalf acted willfully.

275 2. A fine in the amount of \$100 for each application

276 collected by a third-party voter registration organization or
 277 any person, entity, or agent acting on its behalf, before book
 278 closing for any given election for federal or state office and
 279 received by the division or the supervisor of elections in the
 280 county in which the applicant resides after the book-closing
 281 deadline for such election. A fine in the amount of \$500 for
 282 each application received if the third-party registration
 283 organization or person, entity, or agency acting on its behalf
 284 acted willfully.

285 3. A fine in the amount of \$500 for each application
 286 collected by a third-party voter registration organization or
 287 any person, entity, or agent acting on its behalf, which is not
 288 submitted to the division or supervisor of elections in the
 289 county in which the applicant resides. A fine in the amount of
 290 \$1,000 for any application not submitted if the third-party
 291 voter registration organization or person, entity, or agency
 292 acting on its behalf acted willfully.

293
 294 The aggregate fine pursuant to this paragraph which may be
 295 assessed against a third-party voter registration organization,
 296 including affiliate organizations, for violations committed in a
 297 calendar year is \$50,000 ~~\$1,000~~.

298 (4) If a person collecting voter registration applications
 299 on behalf of a third-party voter registration organization
 300 alters the voter registration application of any other person,

301 without the other person's knowledge and consent, in violation
 302 of s. 104.012(4) and is subsequently convicted of such offense,
 303 the applicable third-party voter registration organization is
 304 liable for a fine in the amount of \$1,000 for each application
 305 altered.

306 Section 7. Effective January 1, 2023, present subsections
 307 (3) through (6) of section 98.065, Florida Statutes, are
 308 redesignated as subsections (4) through (7), respectively, a new
 309 subsection (3) is added to that section, and subsection (2) and
 310 present subsections (3), (4), and (5) of that section are
 311 amended, to read:

312 98.065 Registration list maintenance programs.—

313 (2) A supervisor must incorporate one or more of the
 314 following procedures in the supervisor's annual ~~biennial~~
 315 registration list maintenance program under which the supervisor
 316 shall:

317 (a) Use change-of-address information supplied by the
 318 United States Postal Service through its licensees ~~is used~~ to
 319 identify registered voters whose addresses might have changed.
 320 Additionally, in odd-numbered years, unless the supervisor is
 321 conducting the procedure specified in paragraph (b), the
 322 supervisor must identify change-of-address information from
 323 returned nonforwardable return-if-undeliverable address
 324 confirmation requests mailed to all registered voters who have
 325 not voted in the preceding two general elections and who have

326 not made a request that their registration records be updated
 327 during that time; or

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

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

337 (3) Address confirmation requests sent pursuant to
 338 paragraph (2) (a) and mail sent pursuant to paragraph (2) (b) must
 339 be addressed to the voter's address of legal residence, not
 340 including voters temporarily residing outside the county and
 341 registered in the precinct designated by the supervisor pursuant
 342 to s. 101.045(1). If a request is returned as undeliverable, any
 343 other notification sent to the voter pursuant to subsection (5)
 344 or s. 98.0655 must be addressed to the voter's mailing address
 345 on file, if any.

346 (4) A registration list maintenance program must be
 347 conducted by each supervisor, at a minimum, once ~~in~~ each ~~odd-~~
 348 ~~numbered~~ year and must be completed not later than 90 days
 349 before ~~prior to~~ the date of any federal election. All list
 350 maintenance actions associated with each voter must be entered,

351 tracked, and maintained in the statewide voter registration
352 system.

353 ~~(5)(a)-(4)-(a)~~ If the supervisor receives change-of-address
354 information pursuant to the activities conducted in subsection
355 (2), from jury notices signed by the voter and returned to the
356 courts, from the Department of Highway Safety and Motor
357 Vehicles, or from other sources which indicates that a
358 registered voter's legal residence might have changed to another
359 location within the state, the supervisor must change the
360 registration records to reflect the new address and must send
361 the voter an address change notice as provided in s. 98.0655(2).

362 (b) If the supervisor of elections receives change-of-
363 address information pursuant to the activities conducted in
364 subsection (2), from jury notices signed by the voter and
365 returned to the courts, or from other sources which indicates
366 that a registered voter's legal residence might have changed to
367 a location outside the state, the supervisor of elections shall
368 send an address confirmation final notice to the voter as
369 provided in s. 98.0655(3).

370 (c) If an address confirmation request required by
371 paragraph (2)(a) or (b) is returned as undeliverable without
372 indication of an address change, or there is no response from
373 the voter within 30 days, or if any other nonforwardable return-
374 if-undeliverable mail is returned as undeliverable with no
375 indication of an address change, the supervisor shall send an

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376 address confirmation final notice to all addresses on file for
377 the voter.

378 (d) The supervisor must designate as inactive all voters
379 who have been sent an address confirmation final notice and who
380 have not returned the postage prepaid, preaddressed return form
381 within 30 days or for which the final notice has been returned
382 as undeliverable. Names on the inactive list may not be used to
383 calculate the number of signatures needed on any petition. A
384 voter on the inactive list may be restored to the active list of
385 voters upon the voter updating his or her registration and
386 confirming his or her current address of legal residence,
387 requesting a vote-by-mail ballot and confirming his or her
388 current address of legal residence, or appearing to vote and
389 confirming his or her current address of legal residence.

390 However, if the voter does not update his or her voter
391 registration information, request a vote-by-mail ballot, or vote
392 by the second general election after being placed on the
393 inactive list, the voter's name shall be removed from the
394 statewide voter registration system and the voter shall be
395 required to reregister to have his or her name restored to the
396 statewide voter registration system.

397 (6)+(5) A notice may not be issued pursuant to this section
398 and a voter's name may not be removed from the statewide voter
399 registration system later than 90 days prior to the date of a
400 federal election. However, this section does not preclude the

401 correction of registration records based on information
402 submitted by the voter or removal of the name of a voter from
403 the statewide voter registration system at any time upon the
404 voter's written request, by reason of the voter's death, or upon
405 a determination of the voter's ineligibility as provided in s.
406 98.075(7).

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

409 98.0655 Registration list maintenance forms.—The
410 department shall prescribe registration list maintenance forms
411 to be used by the supervisors which must include:

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

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

415 (b) A request that the voter notify the supervisor if
416 either the voter's name or address of legal residence is
417 incorrect;

418 (c) If the address confirmation request is required by s.
419 98.065(2)(a), a statement that if the voter has not changed his
420 or her legal residence or has changed his or her legal residence
421 within the state, the voter should return the form within 30
422 days after the date on which the notice was sent to the voter;
423 and

424 (d) Information about updating voter information through
425 the online voter registration system.

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

431 (a) If the voter has not changed his or her legal
432 residence or has changed his or her legal residence within the
433 state, the voter should return the form within 30 days after the
434 date on which the notice was sent to the voter.

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

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

439 2. The voter shall be provided with information on how to
440 register in the new jurisdiction in order to be eligible to
441 vote.

442 (c) If the return form is not returned, the voter's name
443 shall be designated as inactive in the statewide voter
444 registration system, and confirmation of the voter's address of
445 legal residence may be required before the voter is authorized
446 to vote in an election.

447 Section 9. Paragraph (a) of subsection (3) of section
448 98.075, Florida Statutes, is amended to read:

449 98.075 Registration records maintenance activities;
450 ineligibility determinations.—

451 (3) DECEASED PERSONS.—

452 (a)1. The department shall identify those registered
 453 voters who are deceased by comparing information received from
 454 either:

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

456 b. The United States Social Security Administration,
 457 including, but not limited to, any master death file or index
 458 compiled by the United States Social Security Administration;
 459 and

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

461 2. Within 7 days after receipt of such information through
 462 the statewide voter registration system, the supervisor shall
 463 remove the name of the registered voter.

464 Section 10. Section 98.093, Florida Statutes, is amended
 465 to read:

466 98.093 Duty of officials to furnish information relating
 467 to deceased persons, persons adjudicated mentally incapacitated,
 468 ~~and~~ persons convicted of a felony, and persons who are not
 469 United States citizens.—

470 (1) In order to identify ineligible registered voters and
 471 maintain accurate and current voter registration records in the
 472 statewide voter registration system pursuant to procedures in s.
 473 98.065 or s. 98.075, it is necessary for the department and
 474 supervisors of elections to receive or access certain
 475 information from state and federal officials and entities in the

476 format prescribed.

477 (2) To the maximum extent feasible, state and local
478 government agencies shall facilitate provision of information
479 and access to data to the department, including, but not limited
480 to, databases that contain reliable criminal records and records
481 of deceased persons. State and local government agencies that
482 provide such data shall do so without charge if the direct cost
483 incurred by those agencies is not significant.

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

488 (b) Each clerk of the circuit court shall furnish monthly
489 to the department:

490 1. A list of those persons who have been adjudicated
491 mentally incapacitated with respect to voting during the
492 preceding calendar month, a list of those persons whose mental
493 capacity with respect to voting has been restored during the
494 preceding calendar month, and a list of those persons who have
495 returned signed jury notices during the preceding months to the
496 clerk of the circuit court indicating a change of address. Each
497 list shall include the name, address, date of birth, race, sex,
498 and, whichever is available, the Florida driver license number,
499 Florida identification card number, or social security number of
500 each such person.

501 2. Information on the terms of sentence for felony
 502 convictions, including any financial obligations for court
 503 costs, fees, and fines, of all persons listed in the clerk's
 504 records whose last known address in the clerk's records is
 505 within this state and who have been convicted of a felony during
 506 the preceding month. The information may be provided directly by
 507 individual clerks of the circuit court or may be provided on
 508 their behalf through the Comprehensive Case Information System.
 509 For each felony conviction reported, the information must
 510 include:

511 a. The full name, last known address, date of birth, race,
 512 sex, and, if available, the Florida driver license number,
 513 Florida identification card number, and social security number
 514 of the person convicted.

515 b. The amounts of all financial obligations, including
 516 restitution and court costs, fees, and fines, and, if known, the
 517 amount of financial obligations not yet satisfied.

518 c. The county in which the conviction occurred.

519 d. The statute number violated, statute table text, date
 520 of conviction, and case number.

521 (c) Upon receipt of information from the United States
 522 Attorney, listing persons convicted of a felony in federal
 523 court, the department shall use such information to identify
 524 registered voters or applicants for voter registration who may
 525 be potentially ineligible based on information provided in

526 accordance with s. 98.075.

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

532 (e) The Florida Commission on Offender Review shall
533 furnish at least bimonthly to the department data, including the
534 identity of those persons granted clemency in the preceding
535 month or any updates to prior records which have occurred in the
536 preceding month. The data shall contain the commission's case
537 number and the person's name, address, date of birth, race,
538 gender, Florida driver license number, Florida identification
539 card number, or the last four digits of the social security
540 number, if available, and references to record identifiers
541 assigned by the Department of Corrections and the Department of
542 Law Enforcement, a unique identifier of each clemency case, and
543 the effective date of clemency of each person.

544 (f) The Department of Corrections shall identify those
545 persons who have been convicted of a felony and committed to its
546 custody or placed on community supervision. The information must
547 be provided to the department at a time and in a manner that
548 enables the department to identify registered voters who are
549 convicted felons and to meet its obligations under state and
550 federal law.

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

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

558 2. A list of those persons who presented evidence of non-
559 United States citizenship upon being issued a new or renewed
560 Florida driver license or Florida identification card. The list
561 must contain the name; address; date of birth; social security
562 number, if applicable; and Florida driver license number or
563 Florida identification card number, as applicable, of each such
564 person.

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

569 Section 11. Paragraph (a) of subsection (2) of section
570 100.041, Florida Statutes, is amended to read:

571 100.041 Officers chosen at general election.—

572 (2)(a) Except as provided in s. 124.011 relating to single
573 member districts after decennial redistricting, each county
574 commissioner from an odd-numbered district shall be elected at
575 the general election in each year the number of which is a

576 multiple of 4, for a 4-year term commencing on the second
 577 Tuesday following such election, and each county commissioner
 578 from an even-numbered district shall be elected at the general
 579 election in each even-numbered year the number of which is not a
 580 multiple of 4, for a 4-year term commencing on the second
 581 Tuesday following such election. A county commissioner is
 582 "elected" for purposes of this paragraph on the date that the
 583 county canvassing board certifies the results of the election
 584 pursuant to s. 102.151.

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

588 100.371 Initiatives; procedure for placement on ballot.-

589 (11) (a) An initiative petition form circulated for
 590 signature may not be bundled with or attached to any other
 591 petition. Each signature shall be dated when made and shall be
 592 valid until the next February 1 occurring in an even-numbered
 593 year for the purpose of the amendment appearing on the ballot
 594 for the general election occurring in that same year, provided
 595 all other requirements of law are met. The sponsor shall submit
 596 signed and dated forms to the supervisor of elections for the
 597 county of residence listed by the person signing the form for
 598 verification of the number of valid signatures obtained. If a
 599 signature on a petition is from a registered voter in another
 600 county, the supervisor shall notify the petition sponsor of the

601 misfiled petition. The supervisor shall promptly verify the
602 signatures within 60 days after receipt of the petition forms
603 and payment of a fee for the actual cost of signature
604 verification incurred by the supervisor. However, for petition
605 forms submitted less than 60 days before February 1 of an even-
606 numbered year, the supervisor shall promptly verify the
607 signatures within 30 days after receipt of the form and payment
608 of the fee for signature verification. The supervisor shall
609 promptly record, in the manner prescribed by the Secretary of
610 State, the date each form is received by the supervisor, and the
611 date the signature on the form is verified as valid. The
612 supervisor may verify that the signature on a form is valid only
613 if:

- 614 1. The form contains the original signature of the
615 purported elector.
- 616 2. The purported elector has accurately recorded on the
617 form the date on which he or she signed the form.
- 618 3. The form sets forth the purported elector's name,
619 address, city, county, and voter registration number or date of
620 birth.
- 621 4. The purported elector is, at the time he or she signs
622 the form and at the time the form is verified, a duly qualified
623 and registered elector in the state.
- 624 5. The signature was obtained legally, including that if a
625 paid petition circulator was used, the circulator was validly

626 registered under subsection (3) when the signature was obtained.
627
628 The supervisor shall retain all ~~the~~ signature forms, separating
629 forms verified as valid from those deemed invalid, for at least
630 1 year following the election for ~~in~~ which the petition was
631 circulated ~~issue appeared on the ballot or until the division~~
632 ~~notifies the supervisors of elections that the committee that~~
633 ~~circulated the petition is no longer seeking to obtain ballot~~
634 ~~position.~~

635 (c) On the last day of each month, or on the last day of
636 each week from December 1 of an odd-numbered year through
637 February 1 of the following year, each supervisor shall post on
638 his or her website the total number of signatures submitted, the
639 total number of invalid signatures, the total number of
640 signatures processed, and the aggregate number of verified valid
641 signatures and the distribution of such signatures by
642 congressional district for each proposed amendment proposed by
643 initiative, along with the following information specific to the
644 reporting period: the total number of signed petition forms
645 received, the total number of signatures verified, the
646 distribution of verified valid signatures by congressional
647 district, and the total number of verified petition forms
648 forwarded to the Secretary of State.

649 (13) (a) At the same time the Secretary of State submits an
650 initiative petition to the Attorney General pursuant to s.

651 15.21, the secretary shall submit a copy of the initiative
652 petition to the Financial Impact Estimating Conference. Within
653 75 days after receipt of a proposed revision or amendment to the
654 State Constitution by initiative petition from the Secretary of
655 State, the Financial Impact Estimating Conference shall complete
656 an analysis and financial impact statement to be placed on the
657 ballot of the estimated increase or decrease in any revenues or
658 costs to state or local governments and the overall impact to
659 the state budget resulting from the proposed initiative. The 75-
660 day time limit is tolled when the Legislature is in session. The
661 Financial Impact Estimating Conference shall submit the
662 financial impact statement to the Attorney General and Secretary
663 of State. If the initiative petition has been submitted to the
664 Financial Impact Estimating Conference but the validity of
665 signatures has expired and the initiative petition no longer
666 qualifies for ballot placement at the ensuing general election,
667 the Secretary of State must notify the Financial Impact
668 Estimating Conference. The Financial Impact Estimating
669 Conference is not required to complete an analysis and financial
670 impact statement for an initiative petition that fails to meet
671 the requirements of subsection (1) for placement on the ballot
672 before the 75-day time limit, including any tolling period,
673 expires. The initiative petition may be resubmitted to the
674 Financial Impact Estimating Conference if the initiative
675 petition meets the requisite criteria for a subsequent general

676 election cycle. A new Financial Impact Estimating Conference
 677 shall be established at such time as the initiative petition
 678 again satisfies the criteria in s. 15.21(1).

679 Section 13. Section 101.019, Florida Statutes, is created
 680 to read:

681 101.019 Ranked-choice voting prohibited.-

682 (1) A ranked-choice voting method that allows voters to
 683 rank candidates for an office in order of preference and have
 684 ballots cast be tabulated in multiple rounds following the
 685 elimination of a candidate until a single candidate attains a
 686 majority may not be used in determining the election or
 687 nomination of any candidate to any local, state, or federal
 688 elective office in this state.

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

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

694 101.043 Identification required at polls.-

695 (1)

696 (b) If the picture identification does not contain the
 697 signature of the elector, an additional identification that
 698 provides the elector's signature shall be required. The address
 699 appearing on the identification presented by the elector may not
 700 be used as the basis to ~~confirm an elector's legal residence or~~

701 ~~otherwise~~ challenge an elector's legal residence. The elector
 702 shall sign his or her name in the space provided on the precinct
 703 register or on an electronic device provided for recording the
 704 elector's signature. The clerk or inspector shall compare the
 705 signature with that on the identification provided by the
 706 elector and enter his or her initials in the space provided on
 707 the precinct register or on an electronic device provided for
 708 that purpose and allow the elector to vote if the clerk or
 709 inspector is satisfied as to the identity of the elector.

710 ~~(c) When an elector presents his or her picture~~
 711 ~~identification to the clerk or inspector and the elector's~~
 712 ~~address on the picture identification matches the elector's~~
 713 ~~address in the supervisor's records, the elector may not be~~
 714 ~~asked to provide additional information or to recite his or her~~
 715 ~~home address.~~

716 Section 15. Paragraph (a) of subsection (4) and subsection
 717 (8) of section 101.5614, Florida Statutes, are amended to read:
 718 101.5614 Canvass of returns.—

719 (4)(a) If any vote-by-mail ballot is physically damaged so
 720 that it cannot properly be counted by the voting system's
 721 automatic tabulating equipment, a true duplicate copy shall be
 722 made of the damaged ballot in an open and accessible room in the
 723 presence of witnesses and substituted for the damaged ballot.
 724 Likewise, a duplicate ballot shall be made of a vote-by-mail
 725 ballot containing an overvoted race if there is a clear

726 indication on the ballot that the voter has made a definite
727 choice in the overvoted race or ballot measure. A duplicate
728 shall include all valid votes as determined by the canvassing
729 board based on rules adopted by the division pursuant to s.
730 102.166(4). A duplicate may be made of a ballot containing an
731 undervoted race or ballot measure if there is a clear indication
732 on the ballot that the voter has made a definite choice in the
733 undervoted race or ballot measure. A duplicate may not include a
734 vote if the voter's intent in such race or on such measure is
735 not clear. Upon request, a physically present candidate, a
736 political party official, a political committee official, or an
737 authorized designee thereof, must be allowed to observe the
738 duplication of ballots upon signing an affidavit affirming his
739 or her acknowledgment that disclosure of election results
740 discerned from observing the ballot duplication process while
741 the election is ongoing is a felony, as provided under
742 subsection (8). The observer must be allowed to observe the
743 duplication of ballots in such a way that the observer is able
744 to see the markings on each ballot and the duplication taking
745 place. All duplicate ballots must be clearly labeled
746 "duplicate," bear a serial number which shall be recorded on the
747 defective ballot, and be counted in lieu of the defective
748 ballot. The duplication of ballots must happen in the presence
749 of at least one canvassing board member. After a ballot has been
750 duplicated, the defective ballot shall be placed in an envelope

751 provided for that purpose, and the duplicate ballot shall be
752 tallied with the other ballots for that precinct. If any
753 observer makes a reasonable objection to a duplicate of a
754 ballot, the ballot must be presented to the canvassing board for
755 a determination of the validity of the duplicate. The canvassing
756 board must document the serial number of the ballot in the
757 canvassing board's minutes. The canvassing board must decide
758 whether the duplication is valid. If the duplicate ballot is
759 determined to be valid, the duplicate ballot must be counted. If
760 the duplicate ballot is determined to be invalid, the duplicate
761 ballot must be rejected and a proper duplicate ballot must be
762 made and counted in lieu of the original.

763 (8) Any supervisor of elections, deputy supervisor of
764 elections, canvassing board member, election board member, ~~or~~
765 election employee, or other person authorized to observe,
766 review, or inspect ballot materials or observe canvassing who
767 releases any information about votes cast for or against any
768 candidate or ballot measure or any ~~the~~ results of any election
769 before ~~prior to~~ the closing of the polls in that county on
770 election day commits a felony of the third degree, punishable as
771 provided in s. 775.082, s. 775.083, or s. 775.084.

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

774 101.6103 Mail ballot election procedure.—

775 (1) Except as otherwise provided in subsection (7), the

776 supervisor of elections shall mail all official ballots with a
777 secrecy envelope, a return mailing envelope, and instructions
778 sufficient to describe the voting process to each elector
779 entitled to vote in the election within the timeframes specified
780 in s. 101.62(4) not sooner than the 20th day before the election
781 and not later than the 10th day before the date of the election.
782 All such ballots shall be mailed by first-class mail. Ballots
783 shall be addressed to each elector at the address appearing in
784 the registration records and placed in an envelope which is
785 prominently marked "Do Not Forward."

786 (6) The canvassing board may begin the canvassing of mail
787 ballots as provided by s. 101.68(2)(a). The criminal penalty
788 specified in that paragraph for the release of results before 7
789 p.m. on election day is also applicable to canvassing conducted
790 under this act at 7 a.m. on the sixth day before the election,
791 including processing the ballots through the tabulating
792 equipment. However, results may not be released until after 7
793 p.m. on election day. Any canvassing board member or election
794 employee who releases any result before 7 p.m. on election day
795 commits a felony of the third degree, punishable as provided in
796 s. 775.082, s. 775.083, or s. 775.084.

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

799 101.655 Supervised voting by absent electors in certain
800 facilities.-

801 (1) The supervisor of elections of a county shall provide
 802 supervised voting for absent electors residing in any assisted
 803 living facility, as defined in s. 429.02, or nursing home
 804 facility, as defined in s. 400.021, within that county at the
 805 request of any administrator of such a facility. Such request
 806 for supervised voting in the facility shall be made by
 807 submitting a written request to the supervisor of elections no
 808 later than 28 ~~21~~ days prior to the election for which that
 809 request is submitted. The request shall specify the name and
 810 address of the facility and the name of the electors who wish to
 811 vote by mail in that election. If the request contains the names
 812 of fewer than five voters, the supervisor of elections is not
 813 required to provide supervised voting.

814 Section 18. Section 102.091, Florida Statutes, is amended
 815 to read:

816 102.091 Duty of sheriff to watch for violations;
 817 appointment of special officers.—

818 (1) The sheriff shall exercise strict vigilance in the
 819 detection of any violations of the election laws and in
 820 apprehending the violators.

821 (2) The Governor, in consultation with the executive
 822 director of the Department of Law Enforcement, shall ~~may~~ appoint
 823 special officers to investigate alleged violations of the
 824 election laws, ~~when it is deemed necessary~~ to see that violators
 825 of the election laws are apprehended and punished. A special

826 officer must be a sworn special agent employed by the Department
 827 of Law Enforcement. At least one special officer must be
 828 designated in each operational region of the Department of Law
 829 Enforcement to serve as a dedicated investigator of alleged
 830 violations of the election laws. Appointment as a special
 831 officer does not preclude a sworn special agent from conducting
 832 other investigations of alleged violations of law, provided that
 833 such other investigations do not hinder or interfere with the
 834 individual's ability to investigate alleged violations of the
 835 election laws.

836 Section 19. Section 102.101, Florida Statutes, is amended
 837 to read:

838 102.101 Sheriff and other officers not allowed in polling
 839 place.—A ~~No~~ sheriff, a deputy sheriff, a police officer, a
 840 special officer appointed pursuant to s. 102.091, or any other
 841 officer of the law is not shall be allowed within a ~~the~~ polling
 842 place without permission from the clerk or a majority of the
 843 inspectors, except to cast his or her ballot. Upon the failure
 844 of any such officer ~~of said officers~~ to comply with this section
 845 provision, the clerk or the inspectors must ~~or any one of them~~
 846 ~~shall~~ make an affidavit against the ~~such~~ officer for his or her
 847 arrest.

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

850 104.0616 Vote-by-mail ballots and voting; violations.—

851 (2) Any person who distributes, orders, requests,
 852 collects, delivers, or otherwise physically possesses more than
 853 two vote-by-mail ballots per election in addition to his or her
 854 own ballot or a ballot belonging to an immediate family member,
 855 except as provided in ss. 101.6105-101.694, including supervised
 856 voting at assisted living facilities and nursing home facilities
 857 as authorized under s. 101.655, commits a felony ~~misdemeanor~~ of
 858 the third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~
 859 s. 775.083, or s. 775.084.

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

862 104.185 Petitions; knowingly signing more than once;
 863 signing another person's name or a fictitious name.—

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

869 Section 22. Section 104.186, Florida Statutes, is amended
 870 to read:

871 104.186 Initiative petitions; violations.—A person who
 872 compensates a petition circulator as defined in s. 97.021 based
 873 on the number of petition forms gathered commits a felony
 874 ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in
 875 s. 775.082, ~~or~~ s. 775.083, or s. 775.084. This section does not

876 | prohibit employment relationships that do not base payment on
 877 | the number of signatures collected.

878 | Section 23. Subsection (2) of section 124.011, Florida
 879 | Statutes, is amended to read:

880 | 124.011 Alternate procedure for the election of county
 881 | commissioners to provide for single-member representation;
 882 | applicability.—

883 | (2) (a) All commissioners shall be elected for 4-year terms
 884 | which shall be staggered so that, alternately, one more or one
 885 | less than half of the commissioners elected from residence areas
 886 | and, if applicable, one of the commissioners elected at large
 887 | from the entire county are elected every 2 years, except that
 888 | any commissioner may be elected to an initial term of less than
 889 | 4 years if necessary to achieve or maintain such system of
 890 | staggered terms. Notwithstanding any law to the contrary, at the
 891 | general election immediately following redistricting directed by
 892 | s. 1(e), Art. VIII of the State Constitution, each commissioner
 893 | elected only by electors who reside in the district must be
 894 | elected and terms thereafter shall be staggered as provided in
 895 | s. 100.041.

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

898 | (c) This subsection does not apply to:

899 | 1. Miami-Dade County.

900 | 2. Any county the charter of which limits the number of

901 terms a commissioner may serve.

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

905 Section 24. Paragraph (a) of subsection (3) of section
 906 921.0022, Florida Statutes, is amended to read:

907 921.0022 Criminal Punishment Code; offense severity
 908 ranking chart.—

909 (3) OFFENSE SEVERITY RANKING CHART

910 (a) LEVEL 1

911

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,

914

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and collection.

915

212.15(2)(b) 3rd Failure to remit sales taxes,
amount \$1,000 or more but less
than \$20,000.

916

316.1935(1) 3rd Fleeing or attempting to elude
law enforcement officer.

917

319.30(5) 3rd Sell, exchange, give away
certificate of title or
identification number plate.

918

319.35(1)(a) 3rd Tamper, adjust, change, etc.,
an odometer.

919

320.26(1)(a) 3rd Counterfeit, manufacture, or
sell registration license
plates or validation stickers.

920

322.212 3rd Possession of forged, stolen,
(1)(a)-(c) counterfeit, or unlawfully
issued driver license;
possession of simulated
identification.

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921	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
922	322.212 (5) (a)	3rd	False application for driver license or identification card.
923	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
924	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
925	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
926	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
927			

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928	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
929	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
930	815.04 (5) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
931	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
932	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
933	826.01	3rd	Bigamy.
934	828.122 (3)	3rd	Fighting or baiting animals.

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935	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
936	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
937	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
938	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.
939	838.15(2)	3rd	Commercial bribe receiving.
940	838.16	3rd	Commercial bribery.
	843.18	3rd	Fleeing by boat to elude a law enforcement officer.

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941	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
942	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.
943	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
944	849.25 (2)	3rd	Engaging in bookmaking.
945	860.08	3rd	Interfere with a railroad signal.
946	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
947	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
948			

893.13(6) (a) 3rd Possession of cannabis (more than 20 grams).

949

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

950

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

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

966 (a) In coordination with other agencies such as the
 967 Department of Highway Safety and Motor Vehicles, obtaining a
 968 Florida driver license number or Florida identification card

969 number and the last four digits of a social security number for
970 each registered voter who does not have such numbers on file in
971 the Florida Voter Registration System.

972 (b) Populating such numbers in the Florida Voter
973 Registration System.

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

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

979 (e) Costs associated with development and implementation
980 of the plan.

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

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

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

988 (a) Review relevant processes of other states.

989 (b) Review relevant federal law.

990 (c) Seek input from supervisors of elections, which must
991 include representation from supervisors of counties with large,
992 medium, and small populations.

993 (4) By January 1, 2023, the Department of State shall

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994 | submit to the President of the Senate and the Speaker of the
995 | House of Representatives a report on the plan and draft
996 | legislation for any statutory changes needed to implement the
997 | plan, including any necessary public records exemptions.

998 | Section 26. Except as otherwise expressly provided in this
999 | act, this act shall take effect upon becoming a law.