

1 A bill to be entitled
 2 An act relating to voting rights; creating s. 98.094,
 3 F.S.; requiring the Department of State to create
 4 certain procedures by a specified date; requiring the
 5 department to provide certain notice, information, and
 6 instructions to certain persons upon a determination
 7 of ineligibility; requiring the department to provide
 8 such persons with certain contact information;
 9 requiring the department to notify certain persons of
 10 their ineligibility; creating s. 104.47, F.S.;
 11 creating an affirmative defense in certain criminal
 12 actions; providing an effective date.

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

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 16 Section 1. Section 98.094, Florida Statutes, is created to
 17 read:

18 98.094 Schedule for department to provide notice and
 19 information.-

20 (1) In order for supervisors of elections to timely
 21 identify ineligible registered voters and maintain accurate and
 22 current voter registration records in the statewide voter
 23 registration system pursuant to s. 98.065 or s. 98.075, the
 24 department shall, by January 31, 2024, create procedures to
 25 review information received or made accessible under s. 98.093

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26 and provide such information to supervisors of elections
27 pursuant to s. 98.075 as soon as practicable but no later than 1
28 month after such information is received or made accessible.

29 (2)(a) After a supervisor of elections makes a final
30 determination pursuant to s. 98.075 regarding whether a person
31 who registers to vote is ineligible pursuant to s. 4, Art. VI of
32 the State Constitution and s. 98.0751, the department shall
33 immediately provide to the person notice of such determination
34 and information regarding any outstanding terms of sentence in
35 accordance with s. 948.041, information explaining restoration
36 of voting rights following a felony conviction pursuant to s. 4,
37 Art. VI of the State Constitution, and instructions for seeking
38 restoration of civil rights pursuant to s. 8, Art. IV of the
39 State Constitution. The department must also provide the person
40 with contact information for a person at the department
41 available to answer questions regarding restoration of civil and
42 voting rights.

43 (b) After a person has been removed from the statewide
44 voter registration system pursuant to 98.075(7), the department
45 shall immediately notify the person of his or her ineligibility
46 and the basis for the determination of ineligibility by e-mail,
47 text message, telephone, and certified mail.

48 Section 2. Section 104.47, Florida Statutes, is created to
49 read:

50 104.47 Affirmative defense in criminal actions involving

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51 fraud in connection with voting.-In a criminal action pursuant
52 to a law that imposes criminal liability relating to voting or
53 registering to vote, including, but not limited to, s. 104.011,
54 s. 104.041, s. 104.15, or s. 104.16, it is an affirmative
55 defense that the person was allowed to register to vote or cast
56 a ballot if the department, a supervisor of elections, or
57 another state agency had access to information indicating the
58 person's potential ineligibility or the department provided the
59 person with a voter information card.

60 Section 3. This act shall take effect July 1, 2023.