



294206

LEGISLATIVE ACTION

Senate

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House

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Floor: 1b/F/2R

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04/26/2023 03:20 PM

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Senator Davis moved the following:

Senate Amendment to Amendment (333316)

Delete lines 451 - 547

and insert:

c. A return form that requires the registered voter to admit or deny the accuracy of the information underlying the potential ineligibility, and to admit or deny whether the information, if accurate, renders the voter ineligible, for purposes of a final determination by the supervisor.

d. A statement that, if the voter is denying the accuracy of the information underlying the potential ineligibility, the



294206

12 voter has a right to request a hearing for the purpose of
13 determining eligibility.

14 e. Instructions for the registered voter to contact the
15 supervisor of elections of the county in which the voter is
16 registered if assistance is needed in resolving the matter.

17 f. Instructions for seeking restoration of civil rights
18 pursuant to s. 8, Art. IV of the State Constitution and
19 information explaining voting rights restoration pursuant to s.
20 4, Art. VI of the State Constitution following a felony
21 conviction, if applicable.

22 g. The following statement: "If you attempt to vote at an
23 early voting site or your normal election day polling place, you
24 will be required to vote a provisional ballot. If you vote by
25 mail, your ballot will be treated as a provisional ballot. In
26 either case, your ballot may not be counted until a final
27 determination of eligibility is made. If you wish for your
28 ballot to be counted, you must contact the supervisor of
29 elections office within 2 days after the election and present
30 evidence that you are eligible to vote."

31 2. If the mailed notice is returned as undeliverable, the
32 supervisor must, within 14 days after receiving the returned
33 notice, either publish ~~shall publish~~ notice once in a newspaper
34 of general circulation in the county in which the voter was last
35 registered or publish notice on the county's website as provided
36 in s. 50.0311 or on the supervisor's website, as deemed
37 appropriate by the supervisor. The notice must ~~shall~~ contain the
38 following:

39 a. The voter's name and address.

40 b. A statement that the voter is potentially ineligible to



294206

41 be registered to vote.

42 c. A statement that failure to respond within 30 days after
43 the notice is published may result in a determination of
44 ineligibility by the supervisor and removal of the registered
45 voter's name from the statewide voter registration system.

46 d. An instruction for the voter to contact the supervisor
47 no later than 30 days after the date of the published notice to
48 receive information regarding the basis for the potential
49 ineligibility and the procedure to resolve the matter, and that
50 the voter has the right to be represented by an attorney at the
51 hearing.

52 e. An instruction to the voter that, if further assistance
53 is needed, the voter should contact the supervisor of elections
54 of the county in which the voter is registered.

55 f. A statement that, if the voter denies the accuracy of
56 the information underlying the potential ineligibility or denies
57 that the information, if accurate, means that the voter is
58 ineligible, the voter has a right to request a hearing for the
59 purpose of determining eligibility, and the voter has the right
60 to be represented by an attorney at the hearing.

61 g. The following statement: "If you attempt to vote at an
62 early voting site or your normal election day polling place, you
63 will be required to vote a provisional ballot. If you vote by
64 mail, your ballot will be treated as a provisional ballot. In
65 either case, your ballot may not be counted until a final
66 determination of eligibility is made. If you wish for your
67 ballot to be counted, you must contact the supervisor of
68 elections office within 2 days after the election and present
69 evidence that you are eligible to vote."



294206

70 3. If a registered voter fails to respond to a notice
71 pursuant to subparagraph 1. or subparagraph 2., the supervisor
72 must ~~shall~~ make a final determination of the voter's eligibility
73 within 7 days after expiration of the voter's timeframe to
74 respond. If the supervisor determines that the voter is
75 ineligible, the supervisor must ~~shall~~ remove the name of the
76 registered voter from the statewide voter registration system
77 within 7 days. The supervisor shall notify the registered voter
78 of the supervisor's determination and action.

79 4. If a registered voter responds to the notice pursuant to
80 subparagraph 1. or subparagraph 2. and admits the accuracy of
81 the information underlying the potential ineligibility, the
82 supervisor must, as soon as practicable, ~~shall~~ make a final
83 determination of ineligibility and ~~shall~~ remove the voter's name
84 from the statewide voter registration system. The supervisor
85 shall notify the registered voter of the supervisor's
86 determination and action.

87 5. If a registered voter responds to the notice issued
88 pursuant to subparagraph 1. or subparagraph 2. and denies the
89 accuracy of the information underlying the potential
90 ineligibility but does not request a hearing, the supervisor
91 must ~~shall~~ review the evidence and make a ~~final~~ determination of
92 eligibility no later than 30 days after receiving the response
93 from the voter. If the supervisor determines that the registered
94 voter is ineligible, the supervisor must remove the voter's name
95 from the statewide voter registration system upon such
96 determination and notify the registered voter of the
97 supervisor's determination and action and that the removed voter
98 has a right to appeal a determination of ineligibility pursuant



294206

99 to s. 98.0755. If such registered voter requests a hearing, the
100 supervisor must ~~shall~~ send notice to the registered voter to
101 attend a hearing at a time and place specified in the notice.
102 The supervisor shall schedule and issue notice for the hearing
103 within 7 days after receiving the voter's request for a hearing
104 and shall hold the hearing no later than 30 days after issuing
105 the notice of the hearing. A voter may request an extension upon
106 showing good cause by an oral or written communication to the
107 supervisor