

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Hart offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 432-543 and insert:

5 (4) (a) ~~(3) (a)~~ A third-party voter registration organization
6 that collects voter registration applications serves as a
7 fiduciary to the applicant and shall ensure, ~~ensuring~~ that any
8 voter registration application entrusted to the organization,
9 irrespective of party affiliation, race, ethnicity, or gender,
10 is ~~must be~~ promptly delivered to the division or the supervisor
11 of elections in the county in which the applicant resides within
12 10 ~~14~~ days after the application is ~~was~~ completed by the
13 applicant, but not after registration closes for the next

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14 ensuing election. If a voter registration application collected
15 by any third-party voter registration organization is not
16 promptly delivered to the division or supervisor of elections in
17 the county in which the applicant resides, the third-party voter
18 registration organization is liable for the following fines:

19 1. A fine in the amount of \$50 per each day late, up to
20 \$2,500, for each application received by the division or the
21 supervisor of elections in the county in which the applicant
22 resides more than 10 ~~14~~ days after the applicant delivered the
23 completed voter registration application to the third-party
24 voter registration organization or any person, entity, or agent
25 acting on its behalf. A fine in the amount of \$2,500 ~~\$250~~ for
26 each application received if the third-party voter registration
27 organization or person, entity, or agency acting on its behalf
28 acted willfully.

29 2. A fine in the amount of \$100 per each day late, up to
30 \$5,000, for each application collected by a third-party voter
31 registration organization or any person, entity, or agent acting
32 on its behalf, before book closing for any given election for
33 federal or state office and received by the division or the
34 supervisor of elections in the county in which the applicant
35 resides after the book-closing deadline for such election. A
36 fine in the amount of \$5,000 ~~\$500~~ for each application received
37 if the third-party voter registration organization or any
38 person, entity, or agency acting on its behalf acted willfully.

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39 3. A fine in the amount of \$500 for each application
40 collected by a third-party voter registration organization or
41 any person, entity, or agent acting on its behalf, which is not
42 submitted to the division or supervisor of elections in the
43 county in which the applicant resides. A fine in the amount of
44 \$5,000 ~~\$1,000~~ for any application not submitted if the third-
45 party voter registration organization or person, entity, or
46 agency acting on its behalf acted willfully.

47
48 The aggregate fine which may be assessed pursuant to this
49 paragraph ~~which may be assessed~~ against a third-party voter
50 registration organization, including affiliate organizations,
51 for violations committed in a calendar year is \$250,000 ~~\$50,000~~.

52 (b) A showing by the third-party voter registration
53 organization that the failure to deliver the voter registration
54 application within the required timeframe is based upon force
55 majeure or impossibility of performance shall be an affirmative
56 defense to a violation of this subsection. The secretary may
57 waive the fines described in this subsection upon a showing that
58 the failure to deliver the voter registration application
59 promptly is based upon force majeure or impossibility of
60 performance.

61 (5)~~(4)~~ If a person collecting voter registration
62 applications on behalf of a third-party voter registration
63 organization alters the voter registration application of any

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64 other person, without the other person's knowledge and consent,
65 in violation of s. 104.012(4) and is subsequently convicted of
66 such offense, the applicable third-party voter registration
67 organization is liable for a fine in the amount of \$5,000 ~~\$1,000~~
68 for each application altered.

69 (6) If a person collecting voter registration applications
70 on behalf of a third-party voter registration organization
71 copies a voter's application or retains a voter's personal
72 information, such as the voter's Florida driver license number,
73 Florida identification card number, social security number, or
74 signature, for any reason other than to provide such application
75 or information to the third-party voter registration
76 organization in compliance with this section, the person commits
77 a felony of the third degree, punishable as provided in s.
78 775.082, s. 775.083, or s. 775.084.

79 (7)-(5) If the Secretary of State reasonably believes that
80 a person has committed a violation of this section, the
81 secretary may refer the matter to the Attorney General for
82 enforcement. The Attorney General may institute a civil action
83 for a violation of this section or to prevent a violation of
84 this section. An action for relief may include a permanent or
85 temporary injunction, a restraining order, or any other
86 appropriate order.

87 (8)-(6) The division shall adopt by rule a form to elicit
88 specific information concerning the facts and circumstances from

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89 a person who claims to have been registered to vote by a third-
90 party voter registration organization but who does not appear as
91 an active voter on the voter registration rolls. The division
92 shall also adopt rules to ensure the integrity of the
93 registration process, including controls to ensure that all
94 completed forms are promptly delivered to the division or a
95 supervisor in the county in which the applicant resides.

96 (9)-(7) The date on which an applicant signs a voter
97 registration application is presumed to be the date on which the
98 third-party voter registration organization received or
99 collected the voter registration application.

100 (10) A third-party voter registration organization may not
101 mail or otherwise provide a voter registration application upon
102 which any information about an applicant has been filled in
103 before it is provided to the applicant. A third-party voter
104 registration organization that violates this section is liable
105 for a fine in the amount of \$50 for each such application.

106 (11)-(8) The requirements of this section are retroactive
107
108

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

109 Remove lines 21-24 and insert:
110 beginning on a certain date;
111

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