

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eskamani offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 113 and 114, insert:

5 Section 2. Subsection (15) of section 97.012, Florida  
6 Statutes, is amended to read:

7 97.012 Secretary of State as chief election officer.—The  
8 Secretary of State is the chief election officer of the state,  
9 and it is his or her responsibility to:

10 (15) (a) Conduct preliminary investigations into any  
11 irregularities or fraud involving voter registration, voting,  
12 candidate petition, or issue petition activities and report his  
13 or her findings to the statewide prosecutor or the state

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14 attorney for the judicial circuit in which the alleged violation  
15 occurred for prosecution, if warranted. The Department of State  
16 may prescribe by rule requirements for filing an elections-fraud  
17 complaint and for investigating any such complaint.

18 (b) If any report under this subsection leads to an arrest  
19 and that arrest is later determined to have been without  
20 probable cause or otherwise based on inaccurate information; the  
21 Secretary of State, as chief election officer of the state,  
22 commits a misdemeanor of the second degree, punishable as  
23 provided in s. 775.082 or s. 775.083.

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

26 Remove line 16 and insert:  
27 made by the act; amending s. 97.012, F.S.; providing  
28 criminal liability for the Secretary of State if a  
29 report by the department leads to an arrest that is  
30 found to be illegal for specified reasons; providing  
31 an effective date.  
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