

1 A bill to be entitled
 2 An act relating to advisory opinions on voter
 3 eligibility; amending s. 106.23, F.S.; providing
 4 legislative intent; requiring the Division of
 5 Elections to provide certain advisory opinions upon a
 6 request for certain clarification within a certain
 7 period; specifying the form of the advisory opinion;
 8 authorizing the division to transmit the advisory
 9 opinion electronically; providing that a person who
 10 makes such request is deemed eligible to register to
 11 vote and to vote if the division does not provide the
 12 advisory opinion within the specified period;
 13 requiring the division to issue to such person a
 14 certain certification; specifying the form of the
 15 certification; requiring the certification to be
 16 mailed to the person on a certain day; authorizing the
 17 division to transmit the certification electronically;
 18 providing applicability; providing an effective date.

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

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 22 Section 1. Subsection (3) is added to section 106.23,
 23 Florida Statutes, to read:

24 106.23 Powers of the Division of Elections.—

25 (3) (a) In an effort to eliminate confusion about the

26 eligibility of persons to register to vote and to vote upon
27 completing their sentences, and to cease unnecessary criminal
28 prosecution of state residents who register to vote and vote
29 based upon erroneous information, it is the intent of the
30 Legislature to clarify the obligations of the state in order to
31 increase public trust and electoral participation. To encourage
32 successful reintegration into society, it is further the intent
33 of the Legislature to ensure the lawful enfranchisement of
34 persons with felony convictions, which has been shown to
35 significantly reduce recidivism.

36 (b) The Division of Elections shall provide a written
37 advisory opinion to a person requesting clarification of his or
38 her eligibility to register to vote and to vote within 90 days.

39 1. The advisory opinion may be in the form of a card,
40 official letter, or other written notification certifying
41 whether such person is or is not authorized to register to vote
42 and to vote.

43 2. The division must send the advisory opinion by United
44 States mail to the person within 90 days after the person makes
45 his or her request. If the division has an e-mail address or
46 phone number on file for the person who made the request, the
47 division may also transmit the advisory opinion electronically
48 via e-mail or text message.

49 (c) If the division does not provide the advisory opinion
50 within the 90-day period:

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51 1. The person who made the request is, notwithstanding any
52 provision of law to the contrary, deemed eligible to register to
53 vote and to vote and is not subject to criminal prosecution,
54 finances, civil liability, or other penalties for any acts relating
55 to registering to vote or voting.

56 2. The division shall issue a written certification to the
57 person who made the advisory opinion request of his or her
58 eligibility to register to vote and to vote. Such certification
59 may be in the form of a card, official letter, or other written
60 notification and shall certify that such person is authorized to
61 register to vote and to vote. The division must send the
62 certification by United States mail to the person on the 91st
63 day after the person makes his or her request. If the division
64 has an e-mail address or phone number on file for the person who
65 made the request, the division may also transmit the
66 certification electronically via e-mail or text message.

67 (d) Paragraph (c) does not apply to a person disqualified
68 from voting based on a felony conviction for a felony sexual
69 offense or for murder as those terms are defined in s.
70 98.0751(2)(b) and (c), respectively.

71 Section 2. This act shall take effect July 1, 2024.