

1 A bill to be entitled
 2 An act relating to notice of restoration of voting
 3 rights information on sentencing scoresheets; amending
 4 s. 921.0024, F.S.; specifying information to be
 5 provided on sentencing scoresheets concerning
 6 restoration of voting rights; requiring that a
 7 scoresheet be provided to a defendant before a
 8 sentence is imposed; providing an effective date.

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

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 12 Section 1. Paragraphs (c) and (d) are added to subsection
 13 (1) of section 921.0024, Florida Statutes, to read:

14 921.0024 Criminal Punishment Code; worksheet computations;
 15 scoresheets.—

16 (1)

17 (c) NOTICE CONCERNING VOTING RIGHTS

18 Article VI, s. 4(a) and (b) of the Florida
 19 Constitution provide the following concerning voting
 20 rights:

21 SECTION 4. Disqualifications.—

22 (a) No person convicted of a felony, or adjudicated
 23 in this or any other state to be mentally incompetent,
 24 shall be qualified to vote or hold office until restoration
 25 of civil rights or removal of disability. Except as

26 provided in subsection (b) of this section, any
27 disqualification from voting arising from a felony
28 conviction shall terminate and voting rights shall be
29 restored upon completion of all terms of sentence including
30 parole or probation.

31 (b) No person convicted of murder or a felony sexual
32 offense shall be qualified to vote until restoration of
33 civil rights.

34
35 Section 98.0751 of the Florida Statutes provides the
36 following concerning restoration of voting rights:

37 98.0751 Restoration of voting rights; termination of
38 ineligibility subsequent to a felony conviction.—

39 (1) A person who has been disqualified from voting
40 based on a felony conviction for an offense other than
41 murder or a felony sexual offense must have such
42 disqualification terminated and his or her voting rights
43 restored pursuant to s. 4, Art. VI of the State
44 Constitution upon the completion of all terms of his or her
45 sentence, including parole or probation. The voting
46 disqualification does not terminate unless a person's civil
47 rights are restored pursuant to s. 8, Art. IV of the State
48 Constitution if the disqualification arises from a felony
49 conviction of murder or a felony sexual offense, or if the

50 person has not completed all terms of sentence, as
51 specified in subsection (2).

52 (2) For purposes of this section, the term:

53 (a) "Completion of all terms of sentence" means any
54 portion of a sentence that is contained in the four corners
55 of the sentencing document, including, but not limited to:

56 1. Release from any term of imprisonment ordered by
57 the court as a part of the sentence;

58 2. Termination from any term of probation or
59 community control ordered by the court as a part of the
60 sentence;

61 3. Fulfillment of any term ordered by the court as a
62 part of the sentence;

63 4. Termination from any term of any supervision,
64 which is monitored by the Florida Commission on Offender
65 Review, including, but not limited to, parole; and

66 5.a. Full payment of restitution ordered to a victim
67 by the court as a part of the sentence. A victim includes,
68 but is not limited to, a person or persons, the estate or
69 estates thereof, an entity, the state, or the Federal
70 Government.

71 b. Full payment of fines or fees ordered by the court
72 as a part of the sentence or that are ordered by the court
73 as a condition of any form of supervision, including, but
74 not limited to, probation, community control, or parole.

75 c. The financial obligations required under sub-
76 subparagraph a. or sub-subparagraph b. include only the
77 amount specifically ordered by the court as part of the
78 sentence and do not include any fines, fees, or costs that
79 accrue after the date the obligation is ordered as a part
80 of the sentence.

81 d. For the limited purpose of addressing a plea for
82 relief pursuant to sub-subparagraph e. and notwithstanding
83 any other statute, rule, or provision of law, a court may
84 not be prohibited from modifying the financial obligations
85 of an original sentence required under sub-subparagraph a.
86 or sub-subparagraph b. Such modification shall not infringe
87 on a defendant's or a victim's rights provided in the
88 United States Constitution or the State Constitution.

89 e. Financial obligations required under sub-
90 subparagraph a. or sub-subparagraph b. are considered
91 completed in the following manner or in any combination
92 thereof:

93 (I) Actual payment of the obligation in full.

94 (II) Upon the payee's approval, either through
95 appearance in open court or through the production of a
96 notarized consent by the payee, the termination by the
97 court of any financial obligation to a payee, including,
98 but not limited to, a victim, or the court.

99 (III) Completion of all community service hours, if
 100 the court, unless otherwise prohibited by law or the State
 101 Constitution, converts the financial obligation to
 102 community service.

103
 104 A term required to be completed in accordance with this
 105 paragraph shall be deemed completed if the court modifies
 106 the original sentencing order to no longer require
 107 completion of such term. The requirement to pay any
 108 financial obligation specified in this paragraph is not
 109 deemed completed upon conversion to a civil lien.

110 (b) "Felony sexual offense" means any of the
 111 following:

112 1. Any felony offense that serves as a predicate to
 113 registration as a sexual offender in accordance with s.
 114 943.0435;

115 2. Section 491.0112 [sexual misconduct by a
 116 psychotherapist];

117 3. Section 784.049(3)(b) [sexual cyberharassment by
 118 someone with one prior conviction];

119 4. Section 794.08 [female genital mutilation];

120 5. Section 796.08 [criminal transmission of HIV];

121 6. Section 800.101 [offenses against students by
 122 authority figures];

123 7. Section 826.04 [incest];

124 8. Section 847.012 [sale or distribution of material
 125 harmful to minors or using minors in production];
 126 9. Section 872.06(2) [abuse of a dead body];
 127 10. Section 944.35(3)(b)2. [sexual abuse of a
 128 prisoner];
 129 11. Section 951.221(1) [sexual misconduct between
 130 detention facility employees and inmates]; or
 131 12. Any similar offense committed in another
 132 jurisdiction which would be an offense listed in this
 133 paragraph if it had been committed in violation of the laws
 134 of this state.

135 (c) "Murder" means either of the following:
 136 1. A violation of any of the following sections which
 137 results in the actual killing of a human being:
 138 a. Section 775.33(4) [terrorism resulting in death].
 139 b. Section 782.04(1), (2), or (3) [murder].
 140 c. Section 782.09 [killing of unborn child by injury
 141 to mother].

142 2. Any similar offense committed in another
 143 jurisdiction which would be an offense listed in this
 144 paragraph if it had been committed in violation of the laws
 145 of this state.

146 (3)(a) The department [of State] shall obtain and
 147 review information pursuant to s. 98.075(5) related to a
 148 person who registers to vote and make an initial

149 determination on whether such information is credible and
150 reliable regarding whether the person is eligible pursuant
151 to s. 4, Art. VI of the State Constitution and this
152 section. Upon making an initial determination of the
153 credibility and reliability of such information, the
154 department [of State] shall forward such information to the
155 supervisor of elections pursuant to s. 98.075.

156 (b) A local supervisor of elections shall verify and
157 make a final determination pursuant to s. 98.075 regarding
158 whether the person who registers to vote is eligible
159 pursuant to s. 4, Art. VI of the State Constitution and
160 this section.

161 (c) The supervisor of elections may request
162 additional assistance from the department [of State] in
163 making the final determination, if necessary.

164 (4) For the purpose of determining a voter
165 registrant's eligibility, the provisions of this section
166 shall be strictly construed. If a provision is susceptible
167 to differing interpretations, it shall be construed in
168 favor of the registrant.

169
170 (d) In order for a defendant to receive notice of the
171 impact of his or her sentence on voter eligibility, each
172 defendant must receive a copy of the scoresheet containing the
173 notice in paragraph (c) before sentence is imposed.

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