

By Senator Polsky

30-01569A-24

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1 A bill to be entitled
2 An act relating to advisory opinions on voter
3 eligibility; amending s. 106.23, F.S.; requiring the
4 Division of Elections to provide certain advisory
5 opinions upon request within a certain timeframe;
6 providing that a person who makes such request is
7 deemed eligible to register to vote and to vote if the
8 division does not provide the advisory opinion within
9 the specified timeframe; requiring the division to
10 issue to such person a certain card; requiring that
11 the card be mailed to the person by a certain day;
12 providing applicability; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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

18 106.23 Powers of the Division of Elections.—

19 (3) (a) The Division of Elections shall provide a written
20 advisory opinion to a person requesting an advisory opinion on
21 his or her eligibility to register to vote or to vote. The
22 advisory opinion must be provided to the person within 90 days
23 after he or she makes the request.

24 (b) If the division does not provide the advisory opinion
25 within the 90-day period:

26 1. The person who made the request is, notwithstanding any
27 provision of law to the contrary, deemed eligible to register to
28 vote and to vote and is not subject to criminal prosecution,
29 finances, civil liability, or other penalties for any acts relating

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30 to registering to vote or to voting.

31 2. The division shall issue to the person who made the
32 request a card bearing the seal of the state and stating that
33 such person is authorized to register to vote and to vote. The
34 card must be mailed to the person by the 91st day after the
35 person makes his or her request.

36 (c) Paragraph (b) does not apply to a person disqualified
37 from voting based on a felony sexual offense or a felony
38 conviction for murder as defined in s. 98.0751(2)(b) or (c),
39 respectively.

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