

1 A bill to be entitled
2 An act relating to initiative petitions for
3 constitutional amendments; amending s. 100.371, F.S.;
4 prohibiting sponsors of initiative amendments from
5 sponsoring more than one such amendment; revising
6 requirements that a sponsor must take before obtaining
7 signatures; providing that a sponsor may only collect
8 signatures for one election cycle; providing for the
9 expiration of sponsor registrations; revising
10 requirements for a person who collects petitions;
11 requiring the Division of Elections to develop
12 specified training; revising requirements for the
13 application for registration as a petition circulator;
14 revising the information included on the Petition
15 Circulator's Affidavit; providing that copying a
16 completed petition or retaining specified information
17 is a felony; providing and revising penalties;
18 revising when petition forms must be delivered to a
19 supervisor of elections; revising information required
20 on petition forms; requiring supervisors to transmit
21 signature forms to the Division of Elections in a
22 specified manner; requiring supervisors to retain
23 petition forms in a specified manner; requiring the
24 division to retain petition forms for a certain period
25 of time; requiring the supervisor to send certain

26 notification to specific voters; providing
27 notification requirements; requiring the division to
28 create a Petition Signature Revocation Form; requiring
29 such form to include certain information and be made
30 available in a specified manner; providing how such
31 forms must be submitted and verified; requiring the
32 supervisor to revoke certain petitions; providing
33 construction; prohibiting certain signatures from
34 being revoked; revising when actual costs of signature
35 verification are posted and what is included in such
36 costs; revising information required to be included in
37 a specified communication; providing applicability;
38 authorizing the Department of State to adopt certain
39 emergency rules; providing that certain registrations
40 are canceled on the 14th day after such rules become
41 effective; requiring the department to make specified
42 efforts; amending s. 895.02, F.S.; revising the
43 definition of the term "racketeering activity";
44 amending ss. 15.21, 99.097, 101.161, 104.187, and
45 212.055, F.S.; conforming cross-references; providing
46 an effective date.

47
48 Be It Enacted by the Legislature of the State of Florida:

49
50 **Section 1. Section 100.371, Florida Statutes, is amended**

51 **to read:**

52 100.371 Initiatives; procedure for placement on ballot.—

53 (1) Constitutional amendments proposed by initiative shall
54 be placed on the ballot for the general election, provided the
55 initiative petition has been filed with the Secretary of State
56 no later than February 1 of the year the general election is
57 held. A petition shall be deemed to be filed with the Secretary
58 of State upon the date the secretary determines that valid and
59 verified petition forms have been signed by the constitutionally
60 required number and distribution of voters ~~electors~~ under this
61 code.

62 (2) The sponsor of an initiative amendment may not sponsor
63 more than one such amendment and shall, before ~~prior to~~
64 obtaining any signatures: r

65 (a) Register as a political committee pursuant to s.
66 106.03.

67 (b) ~~and~~ Submit the text of the proposed amendment to the
68 Secretary of State, with the form on which the signatures will
69 be affixed, and shall obtain the approval of the Secretary of
70 State of such form. The Secretary of State shall adopt rules
71 pursuant to s. 120.54 prescribing the style and requirements of
72 such form. Upon filing with the Secretary of State, the text of
73 the proposed amendment and all forms filed in connection with
74 this section must, upon request, be made available in
75 alternative formats.

76 (c) Post a \$1 million bond payable to the division. Such
 77 bond shall be conditioned upon the payment of all fines that are
 78 adjudged against the sponsor of such initiative amendment. In
 79 lieu of such bond, the division may accept a cashier's check,
 80 official bank check, or money order in the amount of the bond.

81 (d) Submit an affirmation that each person collecting or
 82 handling initiative petitions for compensation, or as a
 83 volunteer, on behalf of the sponsor of the initiative amendment
 84 has not been convicted of a felony offense of the Florida
 85 Election Code, a felony offense specified in s. 825.103, a
 86 felony offense specified in s. 98.0751(2)(b) or (c), or a felony
 87 offense specified in chapter 817, chapter 831, or chapter 837.
 88 The sponsor of the initiative amendment is liable for a fine in
 89 the amount of \$50,000 for each person who has been convicted of
 90 a felony offense of the Florida Election Code, a felony offense
 91 specified in s. 825.103, or a felony offense specified in
 92 chapter 817, chapter 831, or chapter 837 who is collecting or
 93 handling initiative petitions on behalf of the sponsor of the
 94 initiative amendment.

95 (e) Submit an affirmation that each person collecting or
 96 handling initiative petitions for compensation, or as a
 97 volunteer, on behalf of the sponsor of the initiative amendment
 98 is a citizen of the United States. The sponsor of an initiative
 99 amendment is liable for a fine in the amount of \$50,000 for each
 100 person who is not a citizen of the United States and is

101 collecting or handling petitions on behalf of the sponsor.

102 (3) The sponsor of the initiative amendment may only
103 collect petitions for one general election cycle. The
104 registration of a sponsor of an initiative amendment expires at
105 the conclusion of the specific general election cycle for which
106 the sponsor is registered.

107 (4) (a) ~~(3) (a)~~ A person may not collect or handle signatures
108 ~~or~~ initiative petitions for compensation, or as a volunteer,
109 unless the person is a resident of this state. A person may not
110 collect initiative petitions for compensation unless the person
111 is registered as a petition circulator with the Secretary of
112 State.

113 (b) A citizen may challenge a petition circulator's
114 registration under this section by filing a petition in circuit
115 court. If the court finds that the respondent is not a
116 registered petition circulator, the court may enjoin the
117 respondent from collecting signatures or initiative petitions
118 for compensation until she or he is lawfully registered.

119 (5) ~~(4)~~ In order for a person to be registered as a
120 petition circulator, the person must submit an application for
121 registration and a criminal background check to the division and
122 complete the required petition circulator training. If the
123 division determines that the criminal background check indicates
124 a conviction of any of the offenses specified in paragraph
125 (2) (d), the applicant may not be registered and must be notified

126 of the reason for the denial.

127 (a) Each applicant must complete training concerning the
128 requirements for petition circulators. The training must be
129 developed by the division and may be in an electronic format
130 available via the Internet. The training must, at a minimum,
131 include the following:

132 1. An overview of the petition gathering process.

133 2. An overview of the petition circulator registration
134 requirements.

135 3. An explanation that the sponsor of an initiative
136 amendment serves as a fiduciary to each voter who signs a
137 petition.

138 4. An explanation that the Florida Election Code prohibits
139 the collection of petition forms on a per-signature basis.

140 5. The specific criminal penalties to which a petition
141 circulator may be subject for violating the Florida Election
142 Code.

143 (b) An application for registration must be submitted in
144 the format required by the Secretary of State and must include
145 the following:

146 1.-(a) The information required to be on the petition form
147 under s. 101.161, including the ballot summary and title as
148 approved by the Secretary of State.

149 2.-(b) The applicant's name, permanent address, temporary
150 address, if applicable, and date of birth.

151 3. The applicant's current and valid Florida driver
152 license number, current and valid Florida identification card
153 number, or the last four digits of his or her social security
154 number.

155 ~~(c) An address in this state at which the applicant will~~
156 ~~accept service of process related to disputes concerning the~~
157 ~~petition process, if the applicant is not a resident of this~~
158 ~~state.~~

159 ~~(d) A statement that the applicant consents to the~~
160 ~~jurisdiction of the courts of this state in resolving disputes~~
161 ~~concerning the petition process.~~

162 4.(e) Any information required by the Secretary of State
163 to verify the applicant's identity or address.

164 5. An attestation that the applicant has not been
165 convicted of a felony offense of the Florida Election Code, a
166 felony offense specified in s. 825.103, a felony offense
167 specified in s. 98.0751(2)(b) or (c), or a felony offense
168 specified in chapter 817, chapter 831, or chapter 837.

169 6. An attestation that the applicant is a citizen of the
170 United States and a resident of this state.

171 ~~(6)(5)~~ All petitions collected by a petition circulator
172 must contain, in a format required by the Secretary of State, a
173 completed Petition Circulator's Affidavit which includes:

174 (a) The circulator's name and ~~permanent~~ address of legal
175 residence.†

176 (b) The following statement, which must be signed by the
177 circulator:

178 By my signature below, as petition circulator, I verify that the
179 petition was signed in my presence and that I was not paid to
180 circulate or collect this petition on a per-signature basis.

181 Under penalties of perjury, I declare that I have read the
182 foregoing Petition Circulator's Affidavit and the facts stated
183 in it are true.

184 (7)~~(6)~~ The division or the supervisor of elections shall
185 make hard copy petition forms or electronic portable document
186 format petition forms available to registered petition
187 circulators. All such forms must contain information identifying
188 the petition circulator to which the forms are provided. The
189 division shall maintain a database of all registered petition
190 circulators and the petition forms assigned to each. Each
191 supervisor of elections shall provide to the division
192 information on petition forms assigned to and received from
193 petition circulators. The information must be provided in a
194 format and at times as required by the division by rule. The
195 division must update information on petition forms daily and
196 make the information publicly available.

197 (8) A person collecting or handling a petition on behalf
198 of the sponsor of an initiative amendment who copies a completed
199 petition or retains a voter's personal information, including
200 the voter's Florida driver license number, Florida

201 identification card number, social security number, or
 202 signature, for any reason other than to provide such petition or
 203 information to the sponsor in compliance with this section,
 204 commits a felony of the third degree, punishable as provided in
 205 s. 775.082, s. 775.083, or s. 775.084.

206 (9) (a) ~~(7) (a)~~ A sponsor that collects petition forms or
 207 uses a petition circulator to collect petition forms serves as a
 208 fiduciary to the voter ~~elector~~ signing the petition form,
 209 ensuring that any petition form entrusted to the petition
 210 circulator shall be promptly delivered to the supervisor ~~of~~
 211 ~~elections~~ within 10 ~~30~~ days after the voter ~~elector~~ signs the
 212 form. If a petition form collected by any petition circulator is
 213 not promptly delivered to the supervisor of elections, the
 214 sponsor is liable for the following fines:

215 1. A fine in the amount of \$50 for each day late, up to
 216 \$2,500, for each petition form received by the supervisor in the
 217 county in which the voter resides ~~of elections~~ more than 10 ~~30~~
 218 days after the voter ~~elector~~ signed the petition form ~~or the~~
 219 ~~next business day, if the office is closed.~~ A fine in the amount
 220 of \$2,500 ~~\$250~~ for each petition form received if the sponsor or
 221 petition circulator acted willfully.

222 2. A fine in the amount of \$100 for each day late, up to
 223 \$5,000, for each petition form collected by a sponsor or a
 224 petition circulator and signed by a voter before February 1 of
 225 the year in which the general election is held which is received

226 by the supervisor in the county in which the voter resides after
 227 the deadline for such election. A fine in the amount of \$5,000
 228 for each petition form received if the sponsor or petition
 229 circulator acted willfully.

230 3.2. A fine in the amount of \$500 for each petition form
 231 collected by a petition circulator which is not submitted to the
 232 supervisor in the county in which the voter resides ~~of~~
 233 ~~elections~~. A fine in the amount of \$5,000 ~~\$1,000~~ for any
 234 petition form not submitted if the sponsor or petition
 235 circulator acted willfully.

236 (b) A showing by the sponsor that the failure to deliver
 237 the petition form within the required timeframe is based upon
 238 force majeure or impossibility of performance is an affirmative
 239 defense to a violation of this subsection. The fines described
 240 in this subsection may be waived upon a showing that the failure
 241 to deliver the petition form promptly is based upon force
 242 majeure or impossibility of performance.

243 (10)-(8) If the Secretary of State reasonably believes that
 244 a person or entity has committed a violation of this section,
 245 the secretary may refer the matter to the Attorney General for
 246 enforcement. The Attorney General may institute a civil action
 247 for a violation of this section or to prevent a violation of
 248 this section. An action for relief may include a permanent or
 249 temporary injunction, a restraining order, or any other
 250 appropriate order.

251 ~~(11)~~(9) The division shall adopt by rule a complaint form
252 for a voter ~~an elector~~ who claims to have had his or her
253 signature misrepresented, forged, or not delivered to the
254 supervisor. The division shall also adopt rules to ensure the
255 integrity of the petition form gathering process, including
256 rules requiring sponsors to account for all petition forms used
257 by their agents. Such rules may require a sponsor or petition
258 circulator to provide identification information on each
259 petition form as determined by the department as needed to
260 assist in the accounting of petition forms.

261 ~~(12)~~(10) The date on which a voter ~~an elector~~ signs a
262 petition form is presumed to be the date on which the petition
263 circulator received or collected the petition form.

264 ~~(13)~~(a)~~(11)~~~~(a)~~ An initiative petition form circulated for
265 signature may not be bundled with or attached to any other
266 petition. Each signature shall be dated when made and shall be
267 valid until the next February 1 occurring in an even-numbered
268 year for the purpose of the amendment appearing on the ballot
269 for the general election occurring in that same year, provided
270 all other requirements of law are met. The sponsor shall submit
271 signed and dated forms to the supervisor of elections for the
272 county of residence listed by the person signing the form for
273 verification of the number of valid signatures obtained. If a
274 signature on a petition is from a registered voter in another
275 county, the supervisor shall notify the petition sponsor of the

276 misfiled petition. The supervisor shall promptly verify the
277 signatures within 60 days after receipt of the petition forms
278 and payment of a fee for the actual cost of signature
279 verification incurred by the supervisor. However, for petition
280 forms submitted less than 60 days before February 1 of an even-
281 numbered year, the supervisor shall promptly verify the
282 signatures within 30 days after receipt of the form and payment
283 of the fee for signature verification. The supervisor shall
284 promptly record, in the manner prescribed by the Secretary of
285 State, the date each form is received by the supervisor, and the
286 date the signature on the form is verified as valid. The
287 supervisor may verify that the signature on a form is valid only
288 if:

- 289 1. The form contains the original signature of the
290 purported voter ~~elector~~.
- 291 2. The purported voter ~~elector~~ has accurately recorded on
292 the form the date on which he or she signed the form.
- 293 3. The form sets forth the purported voter's: ~~elector's~~
 - 294 a. Name. τ
 - 295 b. Address. τ
 - 296 c. City. τ
 - 297 d. County. τ ~~and~~
 - 298 e. Voter registration number or date of birth.
 - 299 f. Current and valid Florida driver license number,
300 current and valid Florida identification card number, or the

301 last four digits of his or her social security number.

302 4. The purported voter ~~elector~~ is, at the time he or she
303 signs the form and at the time the form is verified, a duly
304 qualified and registered voter ~~elector~~ in the state.

305 5. The signature was obtained legally, including that if a
306 paid petition circulator was used, the circulator was validly
307 registered under subsection (4) ~~(3)~~ when the signature was
308 obtained.

309
310 ~~The supervisor shall retain all signature forms, separating~~
311 ~~forms verified as valid from those deemed invalid, for at least~~
312 ~~1 year following the election for which the petition was~~
313 ~~circulated.~~

314 (b)1. On the last day of each month, or on the last day of
315 each week from December 1 of an odd-numbered year through
316 February 1 of the following year, each supervisor must
317 electronically transmit all signature forms to the division. The
318 digital images of the scanned signature forms must be of high
319 enough quality to be able to accurately discern all elements
320 contained in such forms, and such forms must be separated by
321 those that have been verified as valid and those that have been
322 deemed invalid.

323 2. Each supervisor must retain all petition forms,
324 separating forms verified as valid from those deemed invalid,
325 until all petition forms have been processed following the

326 February 1 deadline. As soon as practicable following the
327 processing of the last timely submitted petition form, but no
328 later than the March 15 following the February 1 deadline, the
329 supervisor must deliver the physical forms to the division. The
330 division shall retain all petition forms for 1 year following
331 the election for which the petition was circulated.

332 (c)1. When the signature on the petition form is verified
333 as valid, the supervisor shall, as soon as practicable, notify
334 the voter, by mail to the mailing address on file in the Florida
335 Voter Registration System or by e-mail to an e-mail address on
336 file in the Florida Voter Registration System, that his or her
337 signature has been verified. The notification must, at a
338 minimum, include:

339 a. The petition number.
340 b. The ballot title and ballot summary.
341 c. The date on which the voter signed the petition.
342 d. The date on which the petition was received by the
343 supervisor.

344 e. The date on which the signature was verified.

345 2.a. The supervisor must also include in the notice
346 required in subparagraph 1. a statement in bold text notifying
347 the voter that if he or she did not sign the referenced petition
348 form, the voter may file a complaint alleging that his or her
349 signature has been misrepresented or forged pursuant to
350 subsection (11).

351 b. On or before January 1 of the year in which the
352 applicable general election is held, the supervisor must also
353 include in the notice required in subparagraph 1. a statement in
354 bold text notifying the voter that if he or she did not sign the
355 referenced petition form, the voter may revoke his or her
356 signature by completing a Petition Signature Revocation Form.

357 3.a. The division must create, by rule, the Petition
358 Signature Revocation Form, which must contain the same elements
359 required for verification of signatures in sub-subparagraph c.
360 along with an attestation to which a voter must affix his or her
361 signature. The attestation must state that the voter is revoking
362 his or her signature because he or she never signed the
363 referenced petition form. The Petition Signature Revocation Form
364 must be made available on each supervisor's website as well as
365 the division's website.

366 b. Each completed Petition Signature Revocation Form must
367 be submitted to the supervisor of the county in which the voter
368 resides and, after receipt, the supervisor must verify the
369 signature and information contained in the form. If the
370 signature and information are verified, the supervisor shall
371 revoke the petition, adjust the totals required under paragraph
372 (e) accordingly, and immediately notify the division. The cost
373 of verifying the signature on the Petition Signature Revocation
374 Form must be borne by the supervisor.

375 c. The supervisor shall promptly verify the signatures

376 within 30 days after receipt of a revocation form. However, for
377 revocation forms submitted less than 60 days before February 1
378 of an even-numbered year, the supervisor shall promptly verify
379 the signatures within 15 days after receipt of the form. The
380 supervisor shall promptly record, in the manner prescribed by
381 the Secretary of State, the date each revocation form is
382 received by the supervisor, and the date the signature on the
383 form is verified as valid. The supervisor may verify that the
384 signature on a form is valid only if:

385 (I) The form contains the original signature of the voter.

386 (II) The voter has accurately recorded on the form the
387 date on which he or she signed the form.

388 (III) The form sets forth the voter's:

389 (A) Name.

390 (B) Address.

391 (C) City.

392 (D) County.

393 (E) Voter registration number or date of birth.

394 (F) Current and valid Florida driver license number,
395 current and valid Florida identification card number, or the
396 last four digits of his or her social security number.

397 d. A signature cannot be revoked on or after January 2 of
398 the year in which the applicable general election is held.

399 4. This paragraph may not be construed to deny the right
400 of a voter who has revoked his or her signature from signing a

401 petition after such revocation.

402 (d)~~(b)~~ Each supervisor shall post the actual cost of
403 signature verification on his or her website and may increase
404 such cost, as necessary, on March 1 annually ~~February 2 of each~~
405 ~~even-numbered year.~~ These costs include operating and personnel
406 costs associated with comparing signatures, printing or sending
407 notices to voters that their signature has been verified, and
408 scanning and sending petition forms to the division. The
409 division shall also publish each county's current cost on its
410 website. The division and each supervisor shall biennially
411 review available technology aimed at reducing verification
412 costs.

413 (e)~~(e)~~ On the last day of each month, or on the last day
414 of each week from December 1 of an odd-numbered year through
415 February 1 of the following year, each supervisor shall post on
416 his or her website the total number of signatures submitted, the
417 total number of invalid signatures, the total number of
418 signatures processed, total number of signatures revoked, and
419 the aggregate number of verified valid signatures and the
420 distribution of such signatures by congressional district for
421 each proposed amendment proposed by initiative, along with the
422 following information specific to the reporting period: the
423 total number of signed petition forms received, the total number
424 of signatures verified, the distribution of verified valid
425 signatures by congressional district, and the total number of

426 | verified petition forms forwarded to the Secretary of State.

427 | (14)~~(12)~~ The Secretary of State shall determine from the
428 | signatures verified by the supervisors ~~of elections~~ the total
429 | number of verified valid signatures and the distribution of such
430 | signatures by congressional districts, and the division shall
431 | post such information on its website at the same intervals
432 | specified in paragraph (13) (c) ~~(11) (e)~~. Upon a determination
433 | that the requisite number and distribution of valid signatures
434 | have been obtained, the secretary shall issue a certificate of
435 | ballot position for that proposed amendment and shall assign a
436 | designating number pursuant to s. 101.161.

437 | (15) (a)~~(13) (a)~~ At the same time the Secretary of State
438 | submits an initiative petition to the Attorney General pursuant
439 | to s. 15.21, the secretary shall submit a copy of the initiative
440 | petition to the Financial Impact Estimating Conference. Within
441 | 75 days after receipt of a proposed revision or amendment to the
442 | State Constitution by initiative petition from the Secretary of
443 | State, the Financial Impact Estimating Conference shall complete
444 | an analysis and financial impact statement to be placed on the
445 | ballot of the estimated increase or decrease in any revenues or
446 | costs to state or local governments and the overall impact to
447 | the state budget resulting from the proposed initiative. The 75-
448 | day time limit is tolled when the Legislature is in session. The
449 | Financial Impact Estimating Conference shall submit the
450 | financial impact statement to the Attorney General and Secretary

451 of State. If the initiative petition has been submitted to the
452 Financial Impact Estimating Conference but the validity of
453 signatures has expired and the initiative petition no longer
454 qualifies for ballot placement at the ensuing general election,
455 the Secretary of State must notify the Financial Impact
456 Estimating Conference. The Financial Impact Estimating
457 Conference is not required to complete an analysis and financial
458 impact statement for an initiative petition that fails to meet
459 the requirements of subsection (1) for placement on the ballot
460 before the 75-day time limit, including any tolling period,
461 expires. The initiative petition may be resubmitted to the
462 Financial Impact Estimating Conference if the initiative
463 petition meets the requisite criteria for a subsequent general
464 election cycle. A new Financial Impact Estimating Conference
465 shall be established at such time as the initiative petition
466 again satisfies the criteria in s. 15.21(1).

467 (b) Immediately upon receipt of a proposed revision or
468 amendment from the Secretary of State, the coordinator of the
469 Office of Economic and Demographic Research shall contact the
470 person identified as the sponsor to request an official list of
471 all persons authorized to speak on behalf of the named sponsor
472 and, if there is one, the sponsoring organization at meetings
473 held by the Financial Impact Estimating Conference. All other
474 persons shall be deemed interested parties or proponents or
475 opponents of the initiative. The Financial Impact Estimating

476 Conference shall provide an opportunity for any representatives
477 of the sponsor, interested parties, proponents, or opponents of
478 the initiative to submit information and may solicit information
479 or analysis from any other entities or agencies, including the
480 Office of Economic and Demographic Research.

481 (c) All meetings of the Financial Impact Estimating
482 Conference shall be open to the public. The President of the
483 Senate and the Speaker of the House of Representatives, jointly,
484 shall be the sole judge for the interpretation, implementation,
485 and enforcement of this subsection.

486 1. The Financial Impact Estimating Conference is
487 established to review, analyze, and estimate the financial
488 impact of amendments to or revisions of the State Constitution
489 proposed by initiative. The Financial Impact Estimating
490 Conference shall consist of four principals: one person from the
491 Executive Office of the Governor; the coordinator of the Office
492 of Economic and Demographic Research, or his or her designee;
493 one person from the professional staff of the Senate; and one
494 person from the professional staff of the House of
495 Representatives. Each principal shall have appropriate fiscal
496 expertise in the subject matter of the initiative. A Financial
497 Impact Estimating Conference may be appointed for each
498 initiative.

499 2. Principals of the Financial Impact Estimating
500 Conference shall reach a consensus or majority concurrence on a

501 clear and unambiguous financial impact statement, no more than
502 150 words in length, and immediately submit the statement to the
503 Attorney General. Nothing in this subsection prohibits the
504 Financial Impact Estimating Conference from setting forth a
505 range of potential impacts in the financial impact statement.
506 Any financial impact statement that a court finds not to be in
507 accordance with this section shall be remanded solely to the
508 Financial Impact Estimating Conference for redrafting. The
509 Financial Impact Estimating Conference shall redraft the
510 financial impact statement within 15 days.

511 3. If the Supreme Court has rejected the initial
512 submission by the Financial Impact Estimating Conference and no
513 redraft has been approved by the Supreme Court by 5 p.m. on the
514 75th day before the election, the following statement shall
515 appear on the ballot: "The impact of this measure, if any, has
516 not been determined at this time."

517 (d) The financial impact statement must be separately
518 contained and be set forth after the ballot summary as required
519 in s. 101.161(1).

520 1. If the financial impact statement projects a net
521 negative impact on the state budget, the ballot must include the
522 statement required by s. 101.161(1)(b).

523 2. If the financial impact statement projects a net
524 positive impact on the state budget, the ballot must include the
525 statement required by s. 101.161(1)(c).

526 3. If the financial impact statement estimates an
527 indeterminate financial impact or if the members of the
528 Financial Impact Estimating Conference are unable to agree on
529 the statement required by this subsection, the ballot must
530 include the statement required by s. 101.161(1)(d).

531 (e)1. Any financial impact statement that the Supreme
532 Court finds not to be in accordance with this subsection shall
533 be remanded solely to the Financial Impact Estimating Conference
534 for redrafting, provided the court's advisory opinion is
535 rendered at least 75 days before the election at which the
536 question of ratifying the amendment will be presented. The
537 Financial Impact Estimating Conference shall prepare and adopt a
538 revised financial impact statement no later than 5 p.m. on the
539 15th day after the date of the court's opinion.

540 2. If, by 5 p.m. on the 75th day before the election, the
541 Supreme Court has not issued an advisory opinion on the initial
542 financial impact statement prepared by the Financial Impact
543 Estimating Conference for an initiative amendment that otherwise
544 meets the legal requirements for ballot placement, the financial
545 impact statement shall be deemed approved for placement on the
546 ballot.

547 3. In addition to the financial impact statement required
548 by this subsection, the Financial Impact Estimating Conference
549 shall draft an initiative financial information statement. The
550 initiative financial information statement should describe in

551 greater detail than the financial impact statement any projected
552 increase or decrease in revenues or costs that the state or
553 local governments would likely experience if the ballot measure
554 were approved. If appropriate, the initiative financial
555 information statement may include both estimated dollar amounts
556 and a description placing the estimated dollar amounts into
557 context. The initiative financial information statement must
558 include both a summary of not more than 500 words and additional
559 detailed information that includes the assumptions that were
560 made to develop the financial impacts, workpapers, and any other
561 information deemed relevant by the Financial Impact Estimating
562 Conference.

563 4. The Department of State shall have printed, and shall
564 furnish to each supervisor of elections, a copy of the summary
565 from the initiative financial information statements. The
566 supervisors shall have the summary from the initiative financial
567 information statements available at each polling place and at
568 the main office of the supervisor of elections upon request.

569 5. The Secretary of State and the Office of Economic and
570 Demographic Research shall make available on the Internet each
571 initiative financial information statement in its entirety. In
572 addition, each supervisor of elections whose office has a
573 website shall post the summary from each initiative financial
574 information statement on the website. Each supervisor shall
575 include a copy of each summary from the initiative financial

576 information statements and the Internet addresses for the
577 information statements on the Secretary of State's and the
578 Office of Economic and Demographic Research's websites in the
579 publication or mailing required by s. 101.20.

580 ~~(16)-(14)~~ The Department of State may adopt rules in
581 accordance with s. 120.54 to carry out the provisions of
582 subsections (1)-(16) ~~(1)-(14)~~.

583 ~~(17)-(15)~~ No provision of this code shall be deemed to
584 prohibit a private person exercising lawful control over
585 privately owned property, including property held open to the
586 public for the purposes of a commercial enterprise, from
587 excluding from such property persons seeking to engage in
588 activity supporting or opposing initiative amendments.

589 **Section 2.** (1) This act applies to constitutional
590 amendments proposed for the 2026 general election and each
591 election thereafter. However, this act does not affect the
592 validity of any petition form gathered, or any contract entered
593 into, before the effective date of this act. Petition forms
594 gathered before the effective date of this act shall be governed
595 by the laws existing at the time that the form was initially
596 gathered.

597 (2) The Department of State is authorized, and all
598 conditions are deemed met, to adopt emergency rules pursuant to
599 s. 120.54(4), Florida Statutes, for the purpose of implementing
600 the provisions of this act relating to petition forms, petition

601 circulator registration requirements, and the Petition Signature
602 Revocation Form. Notwithstanding any other law, emergency rules
603 adopted pursuant to this subsection are effective for 6 months
604 after adoption and may be renewed during the pendency of
605 procedures to adopt permanent rules addressing the subject of
606 the emergency rules.

607 (3) The registrations of all registered petition
608 circulators are canceled on the 14th day after the emergency
609 rules implementing the provisions of this act relating to the
610 registration of petition circulators become effective. Following
611 the emergency rules becoming effective, the Department of State
612 must make every effort to immediately notify all registered
613 petition circulators that their registrations will be canceled
614 and that they must reregister under the requirements of this
615 act.

616 **Section 3. Paragraph (d) is added to subsection (8) of**
617 **section 895.02, Florida Statutes, to read:**

618 895.02 Definitions.—As used in ss. 895.01-895.08, the
619 term:

620 (8) "Racketeering activity" means to commit, to attempt to
621 commit, to conspire to commit, or to solicit, coerce, or
622 intimidate another person to commit:

623 (d) A violation of the Florida Election Code, relating to
624 irregularities or fraud involving issue petition activities.

625 **Section 4. Subsection (2) of section 15.21, Florida**

626 **Statutes, is amended to read:**

627 15.21 Initiative petitions; s. 3, Art. XI, State
628 Constitution.—

629 (2) If the Secretary of State has submitted an initiative
630 petition to the Attorney General pursuant to subsection (1) but
631 the validity of the signatures for such initiative petition has
632 expired pursuant to s. 100.371(13)(a) ~~s. 100.371(11)(a)~~ before
633 securing ballot placement, the Secretary of State must promptly
634 notify the Attorney General. The Secretary of State may resubmit
635 the initiative petition to the Attorney General if the
636 initiative petition is later circulated for placement on the
637 ballot of a subsequent general election and the criteria under
638 subsection (1) are satisfied.

639 **Section 5. Paragraph (a) of subsection (4) of section**
640 **99.097, Florida Statutes, is amended to read:**

641 99.097 Verification of signatures on petitions.—

642 (4) (a) The supervisor must be paid in advance the sum of
643 10 cents for each signature checked or the actual cost of
644 checking such signature, whichever is less, by the candidate or,
645 in the case of a petition to have a local issue placed on the
646 ballot, by the person or organization submitting the petition.
647 In the case of a petition to place a statewide issue on the
648 ballot, the person or organization submitting the petition must
649 pay the supervisor in advance the cost posted by the supervisor
650 pursuant to s. 100.371(13) ~~s. 100.371(11)~~ for the actual cost of

651 checking signatures to place a statewide issue on the ballot.

652 **Section 6. Paragraph (a) of subsection (1) of section**
653 **101.161, Florida Statutes, is amended to read:**

654 101.161 Referenda; ballots.—

655 (1) Whenever a constitutional amendment or other public
656 measure is submitted to the vote of the people, a ballot summary
657 of such amendment or other public measure shall be printed in
658 clear and unambiguous language on the ballot after the list of
659 candidates, followed by the word "yes" and also by the word
660 "no," and shall be styled in such a manner that a "yes" vote
661 will indicate approval of the proposal and a "no" vote will
662 indicate rejection. The ballot summary of the amendment or other
663 public measure and the ballot title to appear on the ballot
664 shall be embodied in the constitutional revision commission
665 proposal, constitutional convention proposal, taxation and
666 budget reform commission proposal, or enabling resolution or
667 ordinance. The ballot summary of the amendment or other public
668 measure shall be an explanatory statement, not exceeding 75
669 words in length, of the chief purpose of the measure. In
670 addition, for every constitutional amendment proposed by
671 initiative, the ballot shall include, following the ballot
672 summary, in the following order:

673 (a) A separate financial impact statement concerning the
674 measure prepared by the Financial Impact Estimating Conference
675 in accordance with s. 100.371(15) ~~s. 100.371(13)~~.

676
677 The ballot title shall consist of a caption, not exceeding 15
678 words in length, by which the measure is commonly referred to or
679 spoken of. This subsection does not apply to constitutional
680 amendments or revisions proposed by joint resolution.

681 **Section 7. Section 104.187, Florida Statutes, is amended**
682 **to read:**

683 104.187 Initiative petitions; registration.—A person who
684 violates s. 100.371(4) ~~s. 100.371(3)~~ commits a misdemeanor of
685 the second degree, punishable as provided in s. 775.082 or s.
686 775.083.

687 **Section 8. Paragraph (c) of subsection (1) of section**
688 **212.055, Florida Statutes, is amended to read:**

689 212.055 Discretionary sales surtaxes; legislative intent;
690 authorization and use of proceeds.—It is the legislative intent
691 that any authorization for imposition of a discretionary sales
692 surtax shall be published in the Florida Statutes as a
693 subsection of this section, irrespective of the duration of the
694 levy. Each enactment shall specify the types of counties
695 authorized to levy; the rate or rates which may be imposed; the
696 maximum length of time the surtax may be imposed, if any; the
697 procedure which must be followed to secure voter approval, if
698 required; the purpose for which the proceeds may be expended;
699 and such other requirements as the Legislature may provide.
700 Taxable transactions and administrative procedures shall be as

701 provided in s. 212.054.

702 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM
703 SURTAX.—

704 (c)1. The proposal to adopt a discretionary sales surtax
705 as provided in this subsection and to create a trust fund within
706 the county accounts shall be placed on the ballot in accordance
707 with law and must be approved in a referendum held at a general
708 election in accordance with subsection (10).

709 2. If the proposal to adopt a surtax is by initiative, the
710 petition sponsor must, at least 180 days before the proposed
711 referendum, comply with all of the following:

712 a. Provide a copy of the final resolution or ordinance to
713 the Office of Program Policy Analysis and Government
714 Accountability. The Office of Program Policy Analysis and
715 Government Accountability shall procure a certified public
716 accountant in accordance with subsection (11) for the
717 performance audit.

718 b. File the initiative petition and its required valid
719 signatures with the supervisor of elections. The supervisor of
720 elections shall verify signatures and retain signature forms in
721 the same manner as required for initiatives under s. 100.371(13)
722 ~~s. 100.371(11)~~.

723 3. The failure of an initiative sponsor to comply with the
724 requirements of subparagraph 2. renders any referendum held
725 void.

726

Section 9. This act shall take effect upon becoming a law.