

1 A bill to be entitled
2 An act relating to amendments to the State
3 Constitution; providing legislative findings and
4 intent; amending s. 15.21, F.S.; requiring the
5 Secretary of State to immediately submit an initiative
6 petition to the Attorney General under certain
7 circumstances; amending s. 97.021, F.S.; revising the
8 definition of the term "petition circulator"; amending
9 and reenacting s. 99.097, F.S.; conforming provisions
10 to changes made by the act; amending s. 100.371, F.S.;
11 requiring the sponsor of an initiative petition to
12 obtain a certain letter within a specified timeframe;
13 providing that certain initiative petition signatures
14 expire and the sponsor's political committee is
15 disbanded under specified conditions; providing that
16 such sponsor is not precluded from refiling the
17 proposed amendment as a new petition; prohibiting
18 sponsors of initiative amendments from sponsoring more
19 than one such amendment; providing requirements for
20 sponsors before they obtain signatures; requiring a
21 sponsor to post a specified bond; authorizing
22 alternatives for such bond; providing requirements for
23 specified petition forms; revising requirements for a
24 person who collects or handles petitions; providing
25 requirements for a person to be registered as a

26 | petition circulator; requiring the Division of
27 | Elections to provide specified notification under
28 | certain circumstances; requiring the division to
29 | develop specified training; providing requirements for
30 | such training; revising requirements for petition
31 | circulator registration applications; authorizing the
32 | division to revoke a petition circulator's
33 | registration under certain circumstances; prohibiting
34 | specified compensation for petition circulators;
35 | revising the information included on the Petition
36 | Circulator's Affidavit; providing that certain acts by
37 | a person collecting initiative petition forms are
38 | violations of a specified law; providing penalties;
39 | providing that copying a completed petition or
40 | retaining specified information is a felony; providing
41 | and revising penalties; revising the frequency with
42 | which petition forms must be delivered to a supervisor
43 | of elections; prohibiting certain acts by initiative
44 | petition sponsors and persons collecting initiative
45 | petition forms; providing penalties; requiring a
46 | supervisor of elections to record the date on which
47 | each petition form is received; requiring the division
48 | to be notified of certain misfiled petitions; revising
49 | the information required on petition forms; requiring
50 | a supervisor of elections to electronically transmit

51 signature forms to the division; providing
52 requirements for such transmission; requiring a
53 supervisor of elections to retain petition forms in a
54 specified manner for a certain period of time;
55 requiring a supervisor of elections to mail certain
56 notification to specified voters; providing
57 notification requirements; requiring the division to
58 contact certain voters and provide the voters with a
59 complaint form; requiring the division to verify
60 signatures and revoke certain petitions; providing
61 construction; prohibiting certain signatures from
62 being revoked; revising the frequency with which
63 actual costs of signature verification are posted and
64 what is included in such costs; requiring a supervisor
65 of elections to notify the Office of Election Crimes
66 and Security upon a specified event; authorizing the
67 office to investigate such event and report findings
68 to certain authorities; authorizing a voter to
69 challenge ballot placement certifications in a
70 specified manner; providing requirements for such
71 challenges; revising the voting membership of the
72 Financial Impact Estimating Conference; amending s.
73 101.161, F.S.; authorizing the Legislature to define
74 and describe elements of proposed constitutional
75 amendments; amending s. 102.121, F.S.; requiring the

76 Elections Canvassing Commission to make and sign
77 separate constitutional amendment certificates;
78 providing requirements for such certificates; amending
79 s. 102.168, F.S.; providing that certification of the
80 adoption of a constitutional amendment may be
81 contested in court; providing requirements for such
82 proceedings; amending s. 104.185, F.S.; providing
83 criminal penalties for filling in missing information
84 on certain petitions; amending s. 104.186, F.S.;
85 providing a cross-reference for a specified violation
86 of law; amending s. 104.187, F.S.; increasing criminal
87 penalties for certain violations of law; creating s.
88 106.151, F.S.; defining the term "public funds";
89 prohibiting the expenditure of public funds for
90 certain purposes; providing applicability; providing
91 construction; amending s. 895.02, F.S.; revising the
92 definition of the term "racketeering activity";
93 providing applicability; prohibiting the verification
94 of a signed petition form for a specified period of
95 time; providing construction; providing requirements
96 for the Department of State; providing that certain
97 registrations expire on a specified date; authorizing
98 a supervisor of elections to increase the cost of a
99 certain signature verification within a specified
100 timeframe; requiring such cost to be posted on a

101 specified website; authorizing the department to adopt
 102 certain emergency rules; amending s. 212.055, F.S.;
 103 conforming a cross-reference; providing an effective
 104 date.

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

108 **Section 1.** (1) The Legislature finds that the power to
 109 propose an amendment to the State Constitution is reserved to
 110 the people of Florida consistent with s. 3, Article XI of the
 111 State Constitution. Evidence of fraud related to the process of
 112 gathering signatures on petitions for constitutional amendments
 113 compels the Legislature to act to protect the integrity of the
 114 ballot, ensure a valid election process, and protect the
 115 constitutionally provided initiative process.

116 (2) It is the intent of the Legislature to update the
 117 reasonable regulations in place for petition circulators;
 118 increase transparency and accountability for sponsors of
 119 initiative petitions; and deter, prevent, and penalize
 120 fraudulent activities related to initiative petitions.

121 **Section 2. Section 15.21, Florida Statutes, is amended to**
 122 **read:**

123 15.21 Initiative petitions; s. 3, Art. XI, State
 124 Constitution.—

125 (1) The Secretary of State shall immediately submit an

126 initiative petition to the Attorney General if the sponsor has:

127 (a) Registered as a political committee pursuant to s.
128 106.03.~~7~~

129 (b) Submitted the ballot title, substance, and text of the
130 proposed revision or amendment to the Secretary of State
131 pursuant to ss. 100.371 and 101.161.~~7~~ ~~and~~

132 (c) Obtained a letter from the Division of Elections
133 confirming that the sponsor has submitted to the appropriate
134 supervisors for verification, and the supervisors have verified,
135 forms signed and dated equal to 25 percent of the number of
136 electors statewide required by s. 3, Art. XI of the State
137 Constitution in one-half of the congressional districts of the
138 state.

139 (d) Posted the bond required in s. 100.371(3).

140 (2) If the Secretary of State has submitted an initiative
141 petition to the Attorney General pursuant to subsection (1) but
142 the validity of the signatures for such initiative petition has
143 expired pursuant to s. 100.371(16)(a) ~~s. 100.371(11)(a)~~ before
144 securing ballot placement, the Secretary of State must promptly
145 notify the Attorney General. The Secretary of State may resubmit
146 the initiative petition to the Attorney General if the
147 initiative petition is later circulated for placement on the
148 ballot of a subsequent general election and the criteria under
149 subsection (1) are satisfied.

150 **Section 3. Subsection (28) of section 97.021, Florida**

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

152 97.021 Definitions.—For the purposes of this code, except
153 where the context clearly indicates otherwise, the term:

154 (28) "Petition circulator" means an entity or individual
155 who collects signatures for compensation for the purpose of
156 qualifying a proposed constitutional amendment for ballot
157 placement. The term includes:

158 (a) A person employed by the sponsor of an initiative
159 petition who collects signatures during his or her work hours or
160 who receives benefits for personally collecting signatures,
161 including, but not limited to, bonuses or paid leave.

162 (b) A person employed by a contractor of the sponsor of an
163 initiative petition who collects signatures during his or her
164 work hours or who receives benefits for personally collecting
165 signatures, including, but not limited to, bonuses or paid
166 leave.

167 (c) A person employed by an affiliate organization of the
168 sponsor of an initiative petition who collects signatures during
169 his or her work hours or who receives benefits for personally
170 collecting signatures, including, but not limited to, bonuses or
171 paid leave.

172 **Section 4. Paragraphs (a) and (d) of subsection (4) of**
173 **section 99.097, Florida Statutes, are amended, and paragraph (b)**
174 **of subsection (1) of that section is reenacted, to read:**

175 99.097 Verification of signatures on petitions.—

176 (1)

177 (b) Rules and guidelines for petition verification shall
 178 be adopted by the Department of State. Rules and guidelines for
 179 a random sample method of verification may include a requirement
 180 that petitions bear an additional number of names and
 181 signatures, not to exceed 15 percent of the names and signatures
 182 otherwise required. If the petitions do not meet such criteria
 183 or if the petitions are prescribed by s. 100.371, the use of the
 184 random sample method of verification is not available to
 185 supervisors.

186 (4) (a) The supervisor must be paid in advance the sum of
 187 10 cents for each signature checked or the actual cost of
 188 checking such signature, whichever is less, by the candidate or,
 189 in the case of a petition to have a local issue placed on the
 190 ballot, by the person or organization submitting the petition.
 191 In the case of a petition to place a statewide issue on the
 192 ballot, the person or organization submitting the petition must
 193 pay the supervisor in advance the cost posted by the supervisor
 194 pursuant to s. 100.371(18) ~~s. 100.371(11)~~ for the actual cost of
 195 ~~checking signatures to place a statewide issue on the ballot.~~

196 (d) Except as provided in s. 100.371(16), petitions must
 197 be retained by the supervisors for a period of 1 year following
 198 the election for which the petitions were circulated.

199 **Section 5. Section 100.371, Florida Statutes, is amended**
 200 **to read:**

201 100.371 Initiatives; procedure for placement on ballot.—

202 (1) (a) Constitutional amendments proposed by initiative
 203 shall be placed on the ballot for the general election, provided
 204 the initiative petition has been filed with the Secretary of
 205 State no later than February 1 of the year the general election
 206 is held. A petition shall be deemed to be filed with the
 207 Secretary of State upon the date the secretary determines that
 208 valid and verified petition forms have been signed by the
 209 constitutionally required number and distribution of voters
 210 ~~electors~~ under this code.

211 (b) A sponsor of an initiative petition must obtain, at
 212 least every third election cycle, a letter described in s.
 213 15.21(1)(c). Failure to obtain such letter results in expiration
 214 of the initiative petition's signatures and disbanding of the
 215 sponsor's political committee.

216 (c) Initiative petition signatures expire and the
 217 sponsor's political committee is disbanded if a constitutional
 218 amendment proposed by initiative submitted to the Secretary of
 219 State before February 1, 2022, fails to obtain a letter
 220 described in to s. 15.21(1)(c) on or before February 1, 2026.
 221 This paragraph does not preclude such a sponsor from refiling
 222 the proposed amendment as a new petition.

223 (2) The sponsor of an initiative amendment may not sponsor
 224 more than one such amendment and shall, before ~~prior to~~
 225 obtaining any signatures:7

226 (a) Register as a political committee pursuant to s.
227 106.03.

228 (b) ~~and~~ Submit the text of the proposed amendment to the
229 Secretary of State, with the form on which the signatures will
230 be affixed, and shall obtain the approval of the Secretary of
231 State of such form. The Secretary of State shall adopt rules
232 pursuant to s. 120.54 prescribing the style and requirements of
233 such form. Upon filing with the Secretary of State, the text of
234 the proposed amendment and all forms filed in connection with
235 this section must, upon request, be made available in
236 alternative formats.

237 (c) Submit an affirmation that each person collecting or
238 handling initiative petitions for compensation, or as a
239 volunteer, on behalf of the sponsor of the initiative amendment
240 has not been convicted of a felony violation, unless the person
241 collecting or handling initiative petitions has had his or her
242 right to vote restored. The sponsor of the initiative amendment
243 is liable for a fine in the amount of \$50,000 for each person
244 collecting or handling initiative petitions on behalf of the
245 sponsor who has been convicted of a felony violation, unless the
246 person collecting or handling initiative petitions has had his
247 or her right to vote restored.

248 (d) Submit an affirmation that each person collecting or
249 handling initiative petitions for compensation, or as a
250 volunteer, on behalf of the sponsor of the initiative amendment

251 is a citizen of the United States. The sponsor of the initiative
252 amendment is liable for a fine in the amount of \$50,000 for each
253 person who is not a citizen of the United States and is
254 collecting or handling petitions on behalf of the sponsor.

255 (3) Upon receipt of the letter described in s.
256 15.21(1)(c), the sponsor of the initiative amendment must post a
257 \$1 million bond payable to the division. Such bond shall be
258 conditioned upon the payment of all fines that are adjudged
259 against the sponsor of the initiative amendment. In lieu of such
260 bond, the division may accept a cashier's check, official bank
261 check, or money order in the amount of the bond.

262 (4)(a) The petition form must prominently display all of
263 the following:

- 264 1. The petition number.
- 265 2. The ballot title.
- 266 3. The ballot summary.
- 267 4. A notice that the form becomes a public record upon
268 receipt by the supervisor.
- 269 5. A notice that it is a misdemeanor of the first degree
270 to knowingly sign the same initiative petition more than once.
- 271 6. A notice that the form will not be validated if all
272 requested information is not completed.

273 (b) The petition form must solicit and require all of the
274 following:

- 275 1. The voter's full name.

- 276 2. The voter's address and county of legal residence.
- 277 3. The voter's Florida voter registration number or date
 278 of birth.
- 279 4. The voter's Florida driver license number, the voter's
 280 Florida identification card number issued pursuant to s.
 281 322.051, or the last four digits of the voter's social security
 282 number.
- 283 5. An attestation that the voter is a registered voter in
 284 this state and is petitioning to place the proposed amendment on
 285 the ballot.
- 286 6. The voter's signature and the date on which the voter
 287 signed the form.
- 288 (c) The petition form for a petition circulator must also
 289 include all of the following:
- 290 1. A barcode and serial number associated with the
 291 initiative petition.
- 292 2. The Petition Circulator's Affidavit with the
 293 circulator's name, permanent address, and petition circulator
 294 number.
- 295 (5)(3)(a) A person may not collect ~~or handle signatures or~~
 296 initiative petitions for compensation, or as a volunteer, unless
 297 the person is a resident of this state. A person may not collect
 298 initiative petitions for compensation unless the person is
 299 registered as a petition circulator with the Secretary of State.
- 300 (b) A citizen may challenge a petition circulator's

301 registration under this section by filing a petition in circuit
302 court. If the court finds that the respondent is not a
303 registered petition circulator, the court may enjoin the
304 respondent from collecting signatures or initiative petitions
305 for compensation until she or he is lawfully registered.

306 (c) ~~(4)~~ In order for a person to be registered as a
307 petition circulator, the person must submit an application for
308 registration and a criminal background check to the division and
309 complete the required petition circulator training. If the
310 division determines that the criminal background check indicates
311 a felony conviction, the division must determine whether the
312 applicant has had his or her right to vote restored. If the
313 applicant has not had his or her right to vote restored, he or
314 she may not be registered as a petition circulator and must be
315 notified of the reason for the denial.

316 (d) Each applicant must complete training concerning the
317 requirements for petition circulators. The training must be
318 developed by the division and must be in an electronic format
319 available via the Internet. The training must, at a minimum,
320 include all of the following:

- 321 1. An overview of the petition gathering process.
- 322 2. An overview of the petition circulator registration
323 requirements.
- 324 3. An explanation that the sponsor of an initiative
325 amendment serves as a fiduciary to each voter who signs a

326 petition.

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

329 5. The specific criminal penalties to which a petition
330 circulator may be subject for violating the Florida Election
331 Code.

332 (e) An application for registration must be submitted in
333 the format required by the Secretary of State and must include
334 the following:

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

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

340 3. The applicant's current and valid Florida driver
341 license number or current and valid Florida identification card
342 number and the last four digits of the applicant's social
343 security number.

344 ~~(c) An address in this state at which the applicant will~~
345 ~~accept service of process related to disputes concerning the~~
346 ~~petition process, if the applicant is not a resident of this~~
347 ~~state.~~

348 ~~(d) A statement that the applicant consents to the~~
349 ~~jurisdiction of the courts of this state in resolving disputes~~
350 ~~concerning the petition process.~~

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

353 5. An attestation that the applicant has not been
 354 convicted of a felony violation or, if so, has had his or her
 355 right to vote restored.

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

358 (f) The division may revoke a petition circulator's
 359 registration if the petition circulator violates this section.

360 (6) A sponsor of an initiative amendment may not
 361 compensate a petition circulator based on the number of petition
 362 forms gathered or the time within which a number of petition
 363 forms is gathered. This prohibition includes, but is not limited
 364 to, paying a specified amount per petition form gathered, basing
 365 an hourly rate on the number of petition forms gathered over a
 366 specified period of time, or providing any other benefit or form
 367 of compensation based on the number of petition forms gathered.

368 (7)-(5) All petitions collected by a petition circulator
 369 must contain, in a format required by the Secretary of State, a
 370 completed Petition Circulator's Affidavit which includes:

371 (a) The circulator's name and ~~permanent~~ address of legal
 372 residence.;

373 (b) The following statement, which must be signed by the
 374 circulator:

375 By my signature below, as petition circulator, I verify that the

376 petition was signed in my presence and that I was not paid to
377 circulate or collect this petition on a per-signature basis.

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

381 (8)~~(6)~~ The division or the supervisor of elections shall
382 make hard copy petition forms or electronic portable document
383 format petition forms available to registered petition
384 circulators. All such forms must contain information identifying
385 the petition circulator to which the forms are provided. The
386 division shall maintain a database of all registered petition
387 circulators and the petition forms assigned to each. Each
388 supervisor of elections shall provide to the division
389 information on petition forms assigned to and received from
390 petition circulators. The information must be provided in a
391 format and at times as required by the division by rule. The
392 division must update information on petition forms daily and
393 make the information publicly available.

394 (9) If a person collecting petition forms on behalf of a
395 sponsor of an initiative petition signs another person's name or
396 a fictitious name to any petition, or fills in missing
397 information on a petition, to secure a ballot position in
398 violation of s. 104.185(2), the sponsor of the initiative
399 petition is liable for a fine in the amount of \$5,000 for each
400 such petition.

401 (10) A person collecting or handling a petition on behalf
 402 of the sponsor of an initiative amendment who copies a completed
 403 petition or retains a voter's personal information, including
 404 the voter's Florida driver license number, Florida
 405 identification card number, social security number, or
 406 signature, for any reason other than to provide such petition or
 407 information to the sponsor in compliance with this section
 408 commits a felony of the third degree, punishable as provided in
 409 s. 775.082, s. 775.083, or s. 775.084.

410 (11)~~(7)~~(a) A sponsor that collects petition forms or uses
 411 a petition circulator to collect petition forms serves as a
 412 fiduciary to the voter ~~elector~~ signing the petition form,
 413 ensuring that any petition form entrusted to the petition
 414 circulator shall be promptly delivered to the supervisor ~~of~~
 415 ~~elections~~ within 10 ~~30~~ days after the voter ~~elector~~ signs the
 416 form. If a petition form collected by any petition circulator is
 417 not promptly delivered to the supervisor of elections, the
 418 sponsor is liable for the following fines:

419 1. A fine in the amount of \$50 for each day late, up to
 420 \$2,500, for each petition form received by the supervisor in the
 421 county in which the voter resides ~~of elections~~ more than 10 ~~30~~
 422 days after the voter ~~elector~~ signed the petition form ~~or the~~
 423 ~~next business day, if the office is closed.~~ A fine in the amount
 424 of \$2,500 ~~\$250~~ for each petition form received if the sponsor or
 425 petition circulator acted willfully.

426 2. A fine in the amount of \$100 for each day late, up to
427 \$5,000, for each petition form collected by a sponsor or a
428 petition circulator and signed by a voter before February 1 of
429 the year in which the general election is held which is received
430 by the supervisor in the county in which the voter resides after
431 the deadline for such election. A fine in the amount of \$5,000
432 for each petition form received if the sponsor or petition
433 circulator acted willfully.

434 3.2. A fine in the amount of \$500 for each petition form
435 collected by a petition circulator which is not submitted to the
436 supervisor in the county in which the voter resides ~~of~~
437 ~~elections~~. A fine in the amount of \$5,000 ~~\$1,000~~ for any
438 petition form not submitted if the sponsor or petition
439 circulator acted willfully.

440 (b) A showing by the sponsor that the failure to deliver
441 the petition form within the required timeframe is based upon
442 force majeure or impossibility of performance is an affirmative
443 defense to a violation of this subsection. The fines described
444 in this subsection may be waived upon a showing that the failure
445 to deliver the petition form promptly is based upon force
446 majeure or impossibility of performance.

447 (12) A sponsor of an initiative petition or a person
448 collecting petition forms on behalf of a sponsor of an
449 initiative petition may not mail or otherwise provide a petition
450 form upon which any information about a voter has been filled in

451 before it is provided to the voter. A sponsor of an initiative
452 petition that violates this subsection is liable for a fine in
453 the amount of \$50 for each such petition form.

454 ~~(13)-(8)~~ If the Secretary of State reasonably believes that
455 a person or entity has committed a violation of this section,
456 the secretary may refer the matter to the Attorney General for
457 enforcement. The Attorney General may institute a civil action
458 for a violation of this section or to prevent a violation of
459 this section. An action for relief may include a permanent or
460 temporary injunction, a restraining order, or any other
461 appropriate order.

462 ~~(14)-(9)~~ The division shall adopt by rule a complaint form
463 for a voter ~~an elector~~ who claims to have had his or her
464 signature misrepresented, forged, or not delivered to the
465 supervisor. The division shall also adopt rules to ensure the
466 integrity of the petition form gathering process, including
467 rules requiring sponsors to account for all petition forms used
468 by their agents. Such rules may require a sponsor or petition
469 circulator to provide identification information on each
470 petition form as determined by the department as needed to
471 assist in the accounting of petition forms.

472 ~~(15)-(10)~~ The date on which a voter ~~an elector~~ signs a
473 petition form is presumed to be the date on which the petition
474 circulator received or collected the petition form.

475 ~~(16)-(11)~~(a) An initiative petition form circulated for

476 signature may not be bundled with or attached to any other
477 petition. Each signature shall be dated when made and shall be
478 valid until the next February 1 occurring in an even-numbered
479 year for the purpose of the amendment appearing on the ballot
480 for the general election occurring in that same year, provided
481 all other requirements of law are met. The sponsor shall submit
482 signed and dated forms to the supervisor of elections for the
483 county of residence listed by the person signing the form for
484 verification of the number of valid signatures obtained. The
485 supervisor shall record the date on which each submitted
486 petition form is received. If a signature on a petition is from
487 a registered voter in another county, the supervisor shall
488 notify the petition sponsor and the division of the misfiled
489 petition. The supervisor shall promptly verify the signatures
490 within 60 days after receipt of the petition forms and payment
491 of a fee for the actual cost of signature verification incurred
492 by the supervisor. However, for petition forms submitted less
493 than 60 days before February 1 of an even-numbered year, the
494 supervisor shall promptly verify the signatures within 30 days
495 after receipt of the form and payment of the fee for signature
496 verification. The supervisor shall promptly record, in the
497 manner prescribed by the Secretary of State, the date each form
498 is received by the supervisor, and the date the signature on the
499 form is verified as valid. The supervisor may verify that the
500 signature on a form is valid only if:

- 501 1. The form contains the original signature of the
 502 purported voter ~~elector~~.
- 503 2. The purported voter ~~elector~~ has accurately recorded on
 504 the form the date on which he or she signed the form.
- 505 3. The form sets forth the purported voter's: ~~elector's~~
- 506 a. Name .
- 507 b. Address .
- 508 c. City .
- 509 d. County . ~~and~~
- 510 e. Voter registration number or date of birth.
- 511 f. Current and valid Florida driver license number or
 512 current and valid Florida identification card number, or the
 513 last four digits of the voter's social security number.
- 514 4. The purported voter ~~elector~~ is, at the time he or she
 515 signs the form and at the time the form is verified, a duly
 516 qualified and registered voter ~~elector~~ in this ~~the~~ state and the
 517 form contains an attestation that the voter is a registered
 518 voter in this state and is petitioning to place the proposed
 519 amendment on the ballot.
- 520 5. The signature was obtained legally, including that if a
 521 paid petition circulator was used, the circulator was validly
 522 registered under subsection (5) ~~(3)~~ when the signature was
 523 obtained.
- 524
- 525 ~~The supervisor shall retain all signature forms, separating~~

526 ~~forms verified as valid from those deemed invalid, for at least~~
527 ~~1 year following the election for which the petition was~~
528 ~~circulated.~~

529 (b)1. On the last day of each month, or on the last day of
530 each week from December 1 of an odd-numbered year through
531 February 1 of the following year, each supervisor must
532 electronically transmit all signature forms to the division. The
533 digital images of the scanned signature forms must be of high
534 enough quality to be able to accurately discern all elements
535 contained in such forms, and such forms must be separated by
536 those verified as valid and those deemed invalid.

537 2. Each supervisor must retain all petition forms,
538 separating those verified as valid from those deemed invalid,
539 until all petition forms have been processed following the
540 February 1 deadline. As soon as practicable following the
541 processing of the last timely submitted petition form, but no
542 later than the March 15 following the February 1 deadline, the
543 supervisor must deliver the physical forms to the division. The
544 division shall retain all petition forms for 1 year following
545 the election for which the petition was circulated.

546 (17) When the signature on the petition form is verified
547 as valid, the supervisor shall, as soon as practicable, notify
548 the voter by mail to the mailing address on file in the Florida
549 Voter Registration System. Such notice must be sent by
550 forwardable mail with a postage prepaid, preaddressed form,

551 which may be returned to the division.

552 (a) The notice must include contact information for the
553 division, including the telephone number, facsimile number,
554 mailing address, and e-mail address, and a statement in
555 substantially the following form:

556
557 The following petition to place a proposed constitutional
558 amendment on the ballot for the next general election, bearing
559 your name and signature, has been received and verified by the
560 supervisor of elections office.

561
562 ...(Insert the petition serial number, ballot title, ballot
563 summary, and sponsoring committee; the date on which the voter
564 signed the petition; the date on which the petition was received
565 by the supervisor of elections office; and the date on which the
566 petition was verified by the supervisor of elections.)...

567 (b)1. If the notice is being sent before January 1 of the
568 year in which the general election is held, the notice shall
569 include a statement in substantially the following form:

570
571 If you would like to revoke your signature, check the applicable
572 box and sign and send this notice to the Division of Elections.
573 The petition form in question will be invalidated and not be
574 counted toward the number of signatures required to place this
575 proposed constitutional amendment on the ballot. A returned

576 notice seeking to revoke a signature must be received by the
 577 Division of Elections by January 1 of the year in which the
 578 general election is held.

580 My signature was misrepresented or forged.

581 My signature was not misrepresented or forged, but I
 582 would like to revoke my signature from this petition.

583 ... (Signature)...

584 ... (Date)...

585 2.a. Upon receipt of a completed notice under this
 586 paragraph on or before January 1 of the year in which the
 587 general election is held, the division shall verify the
 588 signature as provided in sub-subparagraph b. and, if verified,
 589 revoke the voter's petition form if one of the applicable boxes
 590 is checked. The petition form is thereafter deemed invalid, and
 591 the division shall adjust the totals required under paragraph
 592 (18) (b) accordingly and immediately notify the applicable
 593 supervisor.

594 b. The division shall promptly verify the signatures
 595 within 35 days after receipt of a completed notice. However, for
 596 notices submitted less than 60 days before January 1 of an even-
 597 numbered year, the division shall promptly verify the signatures
 598 within 15 days after receipt of the notice. The cost of
 599 verifying the signatures under this subparagraph must be borne
 600 by the division.

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601 3.a. Upon receipt of a completed notice under this
 602 paragraph on or after January 2 of the year in which the general
 603 election is held, the division shall contact the voter and
 604 explain that the revocation deadline has passed.

605 b. If the notice indicates that the voter believed his or
 606 her signature was misrepresented or forged, the division shall
 607 provide the voter with a complaint form.

608 (c)1. If the notice is being sent on or after January 2 of
 609 the year in which the general election is held, the notice shall
 610 include a statement in substantially the following form:

611
 612 If your signature was misrepresented or forged on the petition,
 613 please sign and return this notice to the Division of Elections
 614 to initiate a complaint.

615 ...(Signature)...
 616 ...(Date)...

617 2. Upon receipt of the completed notice under this
 618 paragraph, the division must contact the voter and provide the
 619 voter with a complaint form.

620 (d) The following disclosure must be included and
 621 prominently displayed beneath the space for the voter's
 622 signature on all notices:

623
 624 This notice becomes a public record upon receipt by
 625 the Division of Elections. It is a second degree

626 misdemeanor, punishable as provided in s. 775.082,
 627 Florida Statutes, or s. 772.083, Florida Statutes, for
 628 any person to knowingly make a false official
 629 statement pursuant to s. 837.06, Florida Statutes.

631 (e) A signature cannot be revoked on or after January 2 of
 632 the year in which the applicable general election is held.

633 (f) This subsection may not be construed to deny the right
 634 of a voter who has revoked his or her signature from signing a
 635 petition after such revocation.

636 (18) (a) ~~(b)~~ Each supervisor shall post the actual cost of
 637 signature verification for petition forms received more than 60
 638 days before February 1 of an even-numbered year and for petition
 639 forms received less than 60 days before February 1 of an even-
 640 numbered year on his or her website, and may increase such cost,
 641 as necessary, annually on March 1 ~~February 2 of each even-~~
 642 numbered year. These costs include operating and personnel costs
 643 associated with comparing signatures, printing or sending
 644 notices to voters that their signatures have been verified, and
 645 transmitting petition forms to the division. The division shall
 646 also publish each county's current cost on its website. The
 647 division and each supervisor shall biennially review available
 648 technology aimed at reducing verification costs.

649 (b) ~~(e)~~ On the last day of each month, or on the last day
 650 of each week from December 1 of an odd-numbered year through

651 February 1 of the following year, each supervisor shall post on
652 his or her website the total number of signatures submitted, the
653 total number of invalid signatures, the total number of
654 signatures processed, the total number of signatures revoked,
655 and the aggregate number of verified valid signatures and the
656 distribution of such signatures by congressional district for
657 each proposed amendment proposed by initiative, along with the
658 following information specific to the reporting period: the
659 total number of signed petition forms received, the total number
660 of signatures verified, the distribution of verified valid
661 signatures by congressional district, and the total number of
662 verified petition forms forwarded to the Secretary of State. For
663 any reporting period in which the percentage of petition forms
664 deemed invalid by the supervisor exceeds 10 percent of the
665 petition forms received by the supervisor for that reporting
666 period, the supervisor shall notify the Office of Election
667 Crimes and Security. The Office of Election Crimes and Security,
668 as authorized by ss. 97.012(15) and 97.022(1), shall conduct a
669 preliminary investigation and may, if warranted, report findings
670 to the statewide prosecutor or the state attorney for the
671 judicial circuit in which the alleged violation occurred for
672 prosecution.

673 (c) (12) The Secretary of State shall determine from the
674 signatures verified by the supervisors ~~of elections~~ the total
675 number of verified valid signatures and the distribution of such

676 signatures by congressional districts, and the division shall
677 post such information on its website at the same intervals
678 specified in paragraph (b) ~~(11)(e)~~. Upon a determination that
679 the requisite number and distribution of valid signatures have
680 been obtained, the secretary shall issue a certificate of ballot
681 position for that proposed amendment and shall assign a
682 designating number pursuant to s. 101.161.

683 (d)1. Any voter may seek to challenge the certification of
684 ballot placement in the Circuit Court of Leon County on the
685 grounds that the total number of verified valid signatures and
686 the distribution thereof do not meet the requirements of the
687 State Constitution or the Florida Election Code. The sponsor of
688 a constitutional amendment proposed by initiative petition,
689 identified pursuant to this section, is an indispensable party
690 to any action brought under this paragraph. In any proceeding
691 under this paragraph, either party is entitled to the summary
692 procedure provided in s. 51.011, and the court shall advance the
693 cause on the calendar, subject to subparagraph 2.

694 2. Upon a showing by either party by clear and convincing
695 evidence that summary procedure is inappropriate, the court may
696 determine that summary procedure does not apply.

697 ~~(19)(13)~~(a) At the same time the Secretary of State
698 submits an initiative petition to the Attorney General pursuant
699 to s. 15.21, the secretary shall submit a copy of the initiative
700 petition to the Financial Impact Estimating Conference. Within

701 75 days after receipt of a proposed revision or amendment to the
702 State Constitution by initiative petition from the Secretary of
703 State, the Financial Impact Estimating Conference shall complete
704 an analysis and financial impact statement to be placed on the
705 ballot of the estimated increase or decrease in any revenues or
706 costs to state or local governments and the overall impact to
707 the state budget resulting from the proposed initiative. The 75-
708 day time limit is tolled when the Legislature is in session. The
709 Financial Impact Estimating Conference shall submit the
710 financial impact statement to the Attorney General and Secretary
711 of State. If the initiative petition has been submitted to the
712 Financial Impact Estimating Conference but the validity of
713 signatures has expired and the initiative petition no longer
714 qualifies for ballot placement at the ensuing general election,
715 the Secretary of State must notify the Financial Impact
716 Estimating Conference. The Financial Impact Estimating
717 Conference is not required to complete an analysis and financial
718 impact statement for an initiative petition that fails to meet
719 the requirements of subsection (1) for placement on the ballot
720 before the 75-day time limit, including any tolling period,
721 expires. The initiative petition may be resubmitted to the
722 Financial Impact Estimating Conference if the initiative
723 petition meets the requisite criteria for a subsequent general
724 election cycle. A new Financial Impact Estimating Conference
725 shall be established at such time as the initiative petition

726 again satisfies the criteria in s. 15.21(1).

727 (b) Immediately upon receipt of a proposed revision or
728 amendment from the Secretary of State, the coordinator of the
729 Office of Economic and Demographic Research shall contact the
730 person identified as the sponsor to request an official list of
731 all persons authorized to speak on behalf of the named sponsor
732 and, if there is one, the sponsoring organization at meetings
733 held by the Financial Impact Estimating Conference. All other
734 persons shall be deemed interested parties or proponents or
735 opponents of the initiative. The Financial Impact Estimating
736 Conference shall provide an opportunity for any representatives
737 of the sponsor, interested parties, proponents, or opponents of
738 the initiative to submit information and may solicit information
739 or analysis from any other entities or agencies, including the
740 Office of Economic and Demographic Research.

741 (c) All meetings of the Financial Impact Estimating
742 Conference shall be open to the public. The President of the
743 Senate and the Speaker of the House of Representatives, jointly,
744 shall be the sole judge for the interpretation, implementation,
745 and enforcement of this subsection.

746 1. The Financial Impact Estimating Conference is
747 established to review, analyze, and estimate the financial
748 impact of amendments to or revisions of the State Constitution
749 proposed by initiative. The Financial Impact Estimating
750 Conference shall consist of three ~~four~~ principals: one person

751 from the Executive Office of the Governor; ~~the coordinator of~~
752 ~~the Office of Economic and Demographic Research, or his or her~~
753 ~~designee~~; one person from the professional staff of the Senate;
754 and one person from the professional staff of the House of
755 Representatives. Each principal shall have appropriate fiscal
756 expertise in the subject matter of the initiative. The
757 coordinator of the Office of Economic and Demographic Research,
758 or his or her designee, shall serve as a nonvoting member of the
759 Financial Impact Estimating Conference. A Financial Impact
760 Estimating Conference may be appointed for each initiative.

761 2. Principals of the Financial Impact Estimating
762 Conference shall reach a consensus or majority concurrence on a
763 clear and unambiguous financial impact statement, no more than
764 150 words in length, and immediately submit the statement to the
765 Attorney General. Nothing in this subsection prohibits the
766 Financial Impact Estimating Conference from setting forth a
767 range of potential impacts in the financial impact statement.
768 Any financial impact statement that a court finds not to be in
769 accordance with this section shall be remanded solely to the
770 Financial Impact Estimating Conference for redrafting. The
771 Financial Impact Estimating Conference shall redraft the
772 financial impact statement within 15 days.

773 3. If the Supreme Court has rejected the initial
774 submission by the Financial Impact Estimating Conference and no
775 redraft has been approved by the Supreme Court by 5 p.m. on the

776 75th day before the election, the following statement shall
777 appear on the ballot: "The impact of this measure, if any, has
778 not been determined at this time."

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

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

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

788 3. If the financial impact statement estimates an
789 indeterminate financial impact or if the members of the
790 Financial Impact Estimating Conference are unable to agree on
791 the statement required by this subsection, the ballot must
792 include the statement required by s. 101.161(1)(d).

793 (e)1. Any financial impact statement that the Supreme
794 Court finds not to be in accordance with this subsection shall
795 be remanded solely to the Financial Impact Estimating Conference
796 for redrafting, provided the court's advisory opinion is
797 rendered at least 75 days before the election at which the
798 question of ratifying the amendment will be presented. The
799 Financial Impact Estimating Conference shall prepare and adopt a
800 revised financial impact statement no later than 5 p.m. on the

801 15th day after the date of the court's opinion.

802 2. If, by 5 p.m. on the 75th day before the election, the
803 Supreme Court has not issued an advisory opinion on the initial
804 financial impact statement prepared by the Financial Impact
805 Estimating Conference for an initiative amendment that otherwise
806 meets the legal requirements for ballot placement, the financial
807 impact statement shall be deemed approved for placement on the
808 ballot.

809 3. In addition to the financial impact statement required
810 by this subsection, the Financial Impact Estimating Conference
811 shall draft an initiative financial information statement. The
812 initiative financial information statement should describe in
813 greater detail than the financial impact statement any projected
814 increase or decrease in revenues or costs that the state or
815 local governments would likely experience if the ballot measure
816 were approved. If appropriate, the initiative financial
817 information statement may include both estimated dollar amounts
818 and a description placing the estimated dollar amounts into
819 context. The initiative financial information statement must
820 include both a summary of not more than 500 words and additional
821 detailed information that includes the assumptions that were
822 made to develop the financial impacts, workpapers, and any other
823 information deemed relevant by the Financial Impact Estimating
824 Conference.

825 4. The Department of State shall have printed, and shall

826 furnish to each supervisor of elections, a copy of the summary
827 from the initiative financial information statements. The
828 supervisors shall have the summary from the initiative financial
829 information statements available at each polling place and at
830 the main office of the supervisor of elections upon request.

831 5. The Secretary of State and the Office of Economic and
832 Demographic Research shall make available on the Internet each
833 initiative financial information statement in its entirety. In
834 addition, each supervisor of elections whose office has a
835 website shall post the summary from each initiative financial
836 information statement on the website. Each supervisor shall
837 include a copy of each summary from the initiative financial
838 information statements and the Internet addresses for the
839 information statements on the Secretary of State's and the
840 Office of Economic and Demographic Research's websites in the
841 publication or mailing required by s. 101.20.

842 ~~(20)-(14)~~ The Department of State may adopt rules in
843 accordance with s. 120.54 to carry out the provisions of this
844 section ~~subsections (1)-(14)~~.

845 ~~(21)-(15)~~ ~~No provision of~~ This code does not ~~shall be~~
846 ~~deemed to~~ prohibit a private person exercising lawful control
847 over privately owned property, including property held open to
848 the public for the purposes of a commercial enterprise, from
849 excluding from such property persons seeking to engage in
850 activity supporting or opposing initiative amendments.

851 **Section 6. Subsections (3) and (4) of section 101.161,**
852 **Florida Statutes, are renumbered as subsections (4) and (5),**
853 **respectively, paragraph (a) of subsection (1) is amended, and a**
854 **new subsection (3) is added to that section, to read:**

855 101.161 Referenda; ballots.—

856 (1) Whenever a constitutional amendment or other public
857 measure is submitted to the vote of the people, a ballot summary
858 of such amendment or other public measure shall be printed in
859 clear and unambiguous language on the ballot after the list of
860 candidates, followed by the word "yes" and also by the word
861 "no," and shall be styled in such a manner that a "yes" vote
862 will indicate approval of the proposal and a "no" vote will
863 indicate rejection. The ballot summary of the amendment or other
864 public measure and the ballot title to appear on the ballot
865 shall be embodied in the constitutional revision commission
866 proposal, constitutional convention proposal, taxation and
867 budget reform commission proposal, or enabling resolution or
868 ordinance. The ballot summary of the amendment or other public
869 measure shall be an explanatory statement, not exceeding 75
870 words in length, of the chief purpose of the measure. In
871 addition, for every constitutional amendment proposed by
872 initiative, the ballot shall include, following the ballot
873 summary, in the following order:

874 (a) A separate financial impact statement concerning the
875 measure prepared by the Financial Impact Estimating Conference

876 in accordance with s. 100.371(19) ~~s. 100.371(13)~~.

877

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

882 (3) If the text of a constitutional amendment proposed by
883 initiative does not define the terms of art used throughout the
884 amendment or describe any newly created rights, requirements,
885 prohibitions, or authorizations, the Legislature is presumed to
886 have the authority to define such terms and describe such
887 rights, requirements, prohibitions, or authorizations.

888 **Section 7. Section 102.121, Florida Statutes, is amended**
889 **to read:**

890 102.121 Elections Canvassing Commission to issue
891 certificates.—The Elections Canvassing Commission shall make and
892 sign separate certificates of the result of the election for
893 federal officers, and state officers, and constitutional
894 amendments, which certificates shall be written and contain the
895 total number of votes cast for and against each person for each
896 office and the total number of votes cast for and against each
897 constitutional amendment. The certificates, the one including
898 the result of the election for presidential electors and
899 representatives to Congress, and the other including the result
900 of the election for state officers, shall be recorded in the

901 Department of State in a book to be kept for that purpose.

902 **Section 8. Subsections (1) through (4) of section 102.168,**
903 **Florida Statutes, are amended to read:**

904 102.168 Contest of election.—

905 (1) Except as provided in s. 102.171, the certification of
906 election or nomination of any person to office, or of the
907 adoption of a constitutional amendment or the result on any
908 question submitted by referendum, may be contested in the
909 circuit court by any unsuccessful candidate for such office or
910 nomination thereto or by any voter ~~elector~~ qualified to vote in
911 the election related to such candidacy or constitutional
912 amendment, or by any taxpayer, respectively.

913 (2) Such contestant may ~~shall~~ file a complaint, together
914 with the fees prescribed in chapter 28, with the clerk of the
915 circuit court within 10 days after midnight of the date the last
916 board responsible for certifying the results officially
917 certifies the results of the election being contested.

918 (3) The complaint must ~~shall~~ set forth the grounds on
919 which the contestant intends to establish his or her right to
920 such office or set aside the result of the election on a
921 ~~submitted~~ referendum or constitutional amendment. The grounds
922 for contesting an election or a constitutional amendment under
923 this section are:

924 (a) Misconduct, fraud, or corruption on the part of any
925 election official or any member of the canvassing board

926 sufficient to change or place in doubt the result of the
927 election.

928 (b) Ineligibility of the successful candidate for the
929 nomination or office in dispute or of the proposed
930 constitutional amendment for placement on the ballot.

931 (c) Receipt of a number of illegal votes or rejection of a
932 number of legal votes sufficient to change or place in doubt the
933 result of the election.

934 (d) Proof that any voter ~~elector~~, election official, or
935 canvassing board member was given or offered a bribe or reward
936 in money, property, or any other thing of value for the purpose
937 of procuring the successful candidate's nomination or election
938 or determining the result on any question ~~submitted~~ by
939 referendum or constitutional amendment.

940 (4) The canvassing board responsible for canvassing the
941 election is an indispensable party defendant in county and local
942 elections. The Elections Canvassing Commission is an
943 indispensable party defendant in federal, state, and multicounty
944 elections; in elections for constitutional amendments; and in
945 elections for justice of the Supreme Court, judge of a district
946 court of appeal, and judge of a circuit court. The successful
947 candidate is an indispensable party to any action brought to
948 contest the election or nomination of a candidate. The sponsor
949 of a constitutional amendment proposed by citizen initiative,
950 identified pursuant to s. 100.371, is an indispensable party to

951 any action brought to contest such election.

952 **Section 9. Subsection (2) of section 104.185, Florida**
953 **Statutes, is amended to read:**

954 104.185 Petitions; knowingly signing more than once;
955 signing another person's name or a fictitious name or filling in
956 missing information.—

957 (2) A person who signs another person's name or a
958 fictitious name to any petition, or who fills in missing
959 information on a petition, to secure ballot position for a
960 candidate, a minor political party, or an issue commits a felony
961 of the third degree, punishable as provided in s. 775.082, s.
962 775.083, or s. 775.084.

963 **Section 10. Section 104.186, Florida Statutes, is amended**
964 **to read:**

965 104.186 Initiative petitions; violations.—A person who
966 compensates a petition circulator as defined in s. 97.021 based
967 on the number of petition forms gathered, as prohibited by s.
968 100.371(6), commits a felony of the third degree, punishable as
969 provided in s. 775.082, s. 775.083, or s. 775.084. This section
970 does not prohibit employment relationships that do not base
971 payment on the number of signatures collected.

972 **Section 11. Section 104.187, Florida Statutes, is amended**
973 **to read:**

974 104.187 Initiative petitions; registration.—A person who
975 violates s. 100.371(5) ~~s. 100.371(3)~~ commits a felony of the

976 third ~~misdemeanor of the second~~ degree, punishable as provided
977 in s. 775.082 or s. 775.083.

978 **Section 12. Section 106.151, Florida Statutes, is created**
979 **to read:**

980 106.151 Expenditures by state government relating to
981 constitutional amendments.-

982 (1) As used in this section, the term "public funds" means
983 all moneys under the jurisdiction or control of the state
984 government.

985 (2) The state government or any person acting on behalf of
986 the state government may not expend or authorize the expenditure
987 of, and a person or group may not accept, public funds for a
988 political advertisement or any other communication sent to
989 electors concerning any proposed constitutional amendment or
990 revision that is subject to a vote of the electors. This
991 subsection applies to a communication initiated by the state
992 government or a person acting on behalf of the state government,
993 irrespective of whether the communication is limited to factual
994 information or advocates for the passage or defeat of a proposed
995 constitutional amendment or revision. This subsection does not
996 preclude the state government or a person acting on behalf of
997 the state government from reporting on official actions of the
998 state government in an accurate, fair, and impartial manner;
999 posting factual information on a government website or in
1000 printed materials; hosting and providing information at a public

1001 forum; providing factual information in response to an inquiry;
1002 or providing information as otherwise authorized or required by
1003 law.

1004 (3) With the exception of the prohibitions specified in
1005 subsection (2), this section does not preclude an elected
1006 official of the state government from expressing an opinion on
1007 any issue at any time.

1008 **Section 13. Paragraph (d) is added to subsection (8) of**
1009 **section 895.02, Florida Statutes, to read:**

1010 895.02 Definitions.—As used in ss. 895.01-895.08, the
1011 term:

1012 (8) "Racketeering activity" means to commit, to attempt to
1013 commit, to conspire to commit, or to solicit, coerce, or
1014 intimidate another person to commit:

1015 (d) A violation of the Florida Election Code relating to
1016 irregularities or fraud involving issue petition activities.

1017 **Section 14.** This act is intended to apply prospectively to
1018 the initiative petition process. If, before the effective date
1019 of this act, a person signs a petition form, circulates petition
1020 forms, submits a petition form to a supervisor, verifies the
1021 signatures on a petition, or submits a proposed amendment, the
1022 laws in effect on the day on which such person signs the
1023 petition form, circulates petition forms, submits a petition
1024 form, verifies the signature on a petition, or submits the
1025 proposed amendment apply.

1026 **Section 15.** (1) To ensure uniformity and integrity in the
 1027 initiative process, a signed petition form may not be verified
 1028 for a period of 90 days after the effective date of this act.

1029 (2) A petition form gathered after the effective date of
 1030 this act must be delivered as provided in this act to the
 1031 appropriate entity. The processing hold described in subsection
 1032 (1) does not toll any timeframe requirements that petition
 1033 circulators are required to meet and may not be used as a
 1034 defense to any fine imposed for the late submission of any
 1035 petition forms to the appropriate entity.

1036 (3) A petition form gathered by a petition circulator
 1037 after the effective date of this act but before his or her
 1038 registration is canceled pursuant to subsection (5) must be
 1039 submitted to the appropriate supervisor before such registration
 1040 is canceled. A petition form gathered by a petition circulator
 1041 before his or her registration is canceled and submitted after
 1042 such cancellation shall be deemed invalid.

1043 (4) The Department of State shall, within 30 days after
 1044 the effective date of this act, update the forms as required by
 1045 the amendments made by this act to s. 100.371(4), Florida
 1046 Statutes, for any proposed amendments received before the
 1047 effective date of this act.

1048 (5) (a) The Department of State shall, within 30 days after
 1049 the effective date of this act, make available a new petition
 1050 circulator application to incorporate the amendments made by

1051 this act to s. 100.371(5), Florida Statutes.

1052 (b)1. Thirty days after the effective date of this act,
1053 the registration of each petition circulator expires.

1054 2. No later than 7 days after the effective date of this
1055 act, the Department of State shall notify each petition
1056 circulator that his or her registration is expiring and that he
1057 or she may reregister by completing a new application that will
1058 be available before the current registration expires.

1059 (c) The Department of State shall, within 30 days after
1060 the effective date of this act, develop the training required by
1061 s. 100.371(5)(d), Florida Statutes.

1062 (6) Within 90 days after the effective date of this act, a
1063 supervisor may increase the cost of signature verification
1064 pursuant to s. 100.371(18)(a), Florida Statutes. A supervisor
1065 shall post the cost of signature verification on his or her
1066 publicly available website as soon as such cost is determined.

1067 (7) The Department of State is authorized, and all
1068 conditions are deemed met, to adopt emergency rules pursuant to
1069 s. 120.54(4), Florida Statutes, for the purpose of implementing
1070 the provisions of this act relating to petition forms, notices,
1071 and petition circulator registration requirements.
1072 Notwithstanding any other law, emergency rules adopted pursuant
1073 to this subsection are effective for 6 months after adoption and
1074 may be renewed during the pendency of procedures to adopt
1075 permanent rules addressing the subject of the emergency rules.

1076 **Section 16. Paragraph (c) of subsection (1) of section**
 1077 **212.055, Florida Statutes, is amended to read:**

1078 212.055 Discretionary sales surtaxes; legislative intent;
 1079 authorization and use of proceeds.—It is the legislative intent
 1080 that any authorization for imposition of a discretionary sales
 1081 surtax shall be published in the Florida Statutes as a
 1082 subsection of this section, irrespective of the duration of the
 1083 levy. Each enactment shall specify the types of counties
 1084 authorized to levy; the rate or rates which may be imposed; the
 1085 maximum length of time the surtax may be imposed, if any; the
 1086 procedure which must be followed to secure voter approval, if
 1087 required; the purpose for which the proceeds may be expended;
 1088 and such other requirements as the Legislature may provide.
 1089 Taxable transactions and administrative procedures shall be as
 1090 provided in s. 212.054.

1091 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM
 1092 SURTAX.—

1093 (c)1. The proposal to adopt a discretionary sales surtax
 1094 as provided in this subsection and to create a trust fund within
 1095 the county accounts shall be placed on the ballot in accordance
 1096 with law and must be approved in a referendum held at a general
 1097 election in accordance with subsection (10).

1098 2. If the proposal to adopt a surtax is by initiative, the
 1099 petition sponsor must, at least 180 days before the proposed
 1100 referendum, comply with all of the following:

1101 a. Provide a copy of the final resolution or ordinance to
1102 the Office of Program Policy Analysis and Government
1103 Accountability. The Office of Program Policy Analysis and
1104 Government Accountability shall procure a certified public
1105 accountant in accordance with subsection (11) for the
1106 performance audit.

1107 b. File the initiative petition and its required valid
1108 signatures with the supervisor of elections. The supervisor of
1109 elections shall verify signatures and retain signature forms in
1110 the same manner as required for initiatives under s. 100.371(16)
1111 ~~s. 100.371(11)~~.

1112 3. The failure of an initiative sponsor to comply with the
1113 requirements of subparagraph 2. renders any referendum held
1114 void.

1115 **Section 17.** This act shall take effect upon becoming a
1116 law.